

MONDAY, APRIL 11, 2022

SIXTY-THIRD LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Rev. Gerald Mullins, Grace Christian Fellowship, Williamsburg, KY.

Representative Carringer led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 92

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton
-- 92

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Griffey

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 170 Reps. Sherrell, Hurt, Helton, Cepicky and Ragan as prime sponsors.

House Joint Resolution No. 1085 Rep. Thompson as prime sponsor.

House Joint Resolution No. 1105 Reps. Mannis and Powers as prime sponsors.

House Joint Resolution No. 1131 Rep. Reedy as prime sponsor.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

House Bill No. 1665 Reps. Vital and Mannis as prime sponsors.

House Bill No. 1860 Reps. Hardaway and Cochran as prime sponsors.

House Bill No. 1878 Reps. Mannis, Howell and Todd as prime sponsors.

House Bill No. 1943 Rep. Garrett as prime sponsor.

House Bill No. 1957 Reps. Hardaway, Littleton, Hawk, Alexander and Thompson as prime sponsors.

House Bill No. 2149 Reps. Faison, Williams and Boyd as prime sponsors.

House Bill No. 2159 Rep. Lynn as prime sponsor.

House Bill No. 2168 Rep. Vital as prime sponsor.

House Bill No. 2178 Reps. Hardaway and Littleton as prime sponsors.

House Bill No. 2184 Rep. Ogles as prime sponsor.

House Bill No. 2271 Reps. Hardaway, Moody, Powers, Littleton and Todd as prime sponsors.

House Bill No. 2284 Reps. Garrett and Harris as prime sponsors.

House Bill No. 2294 Reps. Hardaway, Towns, Dixie, Camper, Mannis, Jernigan, Clemmons, Thompson, Miller and Harris as prime sponsors.

House Bill No. 2309 Reps. Powell, Dixie, Hardaway, Miller, Thompson, G. Johnson and Harris as prime sponsors.

House Bill No. 2673 Reps. Howell, Moody, Reedy and Powers as prime sponsors.

House Bill No. 2730 Rep. Moody as prime sponsor.

House Bill No. 2789 Reps. Grills, Hurt, Eldridge, Ogles, Gillespie, Thompson, Love, Clemmons and Sparks as prime sponsors.

House Bill No. 2840 Reps. Hardaway, Dixie, Love, Hakeem, Ogles, McKenzie, Towns, Miller, Clemmons, Jernigan, Reedy and Terry as prime sponsors.

House Bill No. 2847 Reps. Clemmons and Thompson as prime sponsors.

MESSAGE FROM THE SENATE
April 8, 2022

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034 and 1035; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
April 8, 2022

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034 and 1035.

GREG GLASS, Chief Engrossing Clerk

COMMUNICATION
April 8, 2022

The Honorable Randy McNally
Lieutenant Governor
425 Rep. John Lewis Way N., Suite 700
Nashville, TN 37243

The Honorable Cameron Sexton
Speaker, Tennessee House of Representatives
425 Rep. John Lewis Way N., Suite 600
Nashville, TN 37243

Dear Lieutenant Governor McNally and Speaker Sexton:

I write to inform you that I am not returning HB 1838 / SB 1838.

Respectfully,

/s/ Bill Lee

MESSAGE FROM THE GOVERNOR
April 8, 2022

MR. SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 170, 563, 685, 1137, 1652, 1763, 1765, 1772, 1843, 1884, 1970, 2058, 2126, 2131, 2208, 2225, 2304, 2349, 2443, 2670, 2683, 2771, 2783, 2888, 2889, 2891, 2892, 2893, 2894, 2897 and 2898; House Joint Resolutions Nos. 990, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022 and 1036; with his approval.

JONATHAN SKRMETTI, Chief Counsel to the Governor

REPORT OF CHIEF ENGROSSING CLERK
April 8, 2022

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1459, 1669, 1677, 1722, 1853, 1997, 2196, 2288, 2293, 2508, 2553, 2561, 2857, 2899 and 2901; for his action.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS
April 8, 2022

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 2376, 2467, 2575, 2613, 2728, 2733, 2743, 2864, 2902 and 2905; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 11, 2022

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2319; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 2319** -- TennCare - As introduced, requires the bureau to, in consultation with and approval of the commissioner of finance and administration, develop and implement a program substantially similar to the federal centers for medicare and medicaid services' Emergency Triage, Treat, and Transport model for emergency services. - Amends TCA Title 71. by *Rose. (HB2840 by *Camper, *Lamar, *Gillespie, *Parkinson, *Thompson, *Gant, *Johnson C, *White, *Moody, *Hardaway, *Dixie, *Love, *Hakeem, *Ogles, *McKenzie, *Towns, *Miller, *Clemmons, *Jernigan, *Reedy, *Terry)

MESSAGE FROM THE SENATE
April 11, 2022

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 1521; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 1521** -- Memorials, Retirement - Haywood County Trustee William L. "Sonny" Howse. by *Walley.

MESSAGE FROM THE SENATE
April 11, 2022

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1888; passed by the Senate.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1888 -- Education - As introduced, requires the coordinated school health program to submit a mid-year report to the department of education to determine if funds within the program should be redistributed. - Amends TCA Title 49, Chapter 1, Part 10. by *Hensley. (*HB1891 by *Haston)

MESSAGE FROM THE SENATE
April 11, 2022

MR. SPEAKER: I am directed to transmit to the House, SB 1782. The Senate adopted the Conference Committee Report and made it the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

WELCOMING AND HONORING

RECOGNITION IN THE WELL

Representative Gillespie was recognized in the Well to honor Officer Christopher L. VanArsdale and K9 Anthony.

RESOLUTION READ

The Clerk read House Joint Resolution No. 992, adopted March 21, 2022.

***House Joint Resolution No. 992** -- Memorials, Recognition - Officer Christopher L. VanArsdale and K9 Anthony. by *Gillespie. (*Rose, *Kyle)

RECOGNITION IN THE WELL

Representative Wright was recognized in the Well to honor Staff Sergeant Ryan Knauss, United States Army.

RESOLUTION READ

The Clerk read Senate Joint Resolution No. 19 of the Third Extraordinary Session, adopted October 29, 2021.

***Senate Joint Resolution No. 9019** -- Memorials, Heroism - Staff Sergeant Ryan Knauss, United States Army. by *Massey, *Briggs, *McNally, *Crowe, *Jackson, *Lundberg, *Akbari, *Bailey, *Bell, *Bowling, *Campbell, *Gardenhire, *Gilmore, *Hensley, *Johnson, *Kyle, *Niceley, *Pody, *Powers, *Reeves, *Roberts, *Robinson, *Rose, *Southerland, *Stevens, *Swann, *Walley, *Watson, *White, *Yager, *Yarbro. (*Wright, *Faison, *Carringer, *Johnson G, *Lafferty, *Mannis, *McKenzie, *Zachary, *Beck, *Boyd, *Calfee, *Camper, *Crawford, *Griffey,

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

*Halford, *Hall, *Hodges, *Johnson C, *Moon, *Parkinson, *Ragan, *Reedy, *Smith, *Stewart, *Thompson, *Weaver, *Whitson, *Windle, *Baum, *Bricken, *Byrd, *Campbell S, *Carr, *Casada, *Cepicky, *Chism, *Clemmons, *Cochran, *Curcio, *Darby, *Dixie, *Doggett, *Eldridge, *Farmer, *Freeman, *Gant, *Garrett, *Gillespie, *Grills, *Hardaway, *Harris, *Haston, *Hawk, *Hazlewood, *Helton, *Hicks G, *Hicks T, *Holsclaw, *Howell, *Hulsey, *Hurt, *Jernigan, *Keisling, *Kumar, *Lamberth, *Leatherwood, *Littleton, *Love, *Lynn, *Marsh, *Mitchell, *Moody, *Ogles, *Powell, *Powers, *Ramsey, *Rudd, *Rudder, *Russell, *Shaw, *Sherrell, *Sparks, *Terry, *Todd, *Travis, *Vaughan, *Vital, *Warner, *White, *Williams, *Sexton C)

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 14, 2022:

House Resolution No. 187 -- Memorials, Interns - Rebecca Isabel Richter. by *Johnson G, *McKenzie.

House Resolution No. 188 -- Memorials, Sports - East Nashville Magnet School, Class AA state champions. by *Love, *Beck, *Dixie.

***House Joint Resolution No. 1132** -- Memorials, Academic Achievement - Maya Brewer, Salutatorian, Zion Christian Academy. by *Cepicky.

***House Joint Resolution No. 1133** -- Memorials, Academic Achievement - Maddy Hayes, Valedictorian, Zion Christian Academy. by *Cepicky.

***House Joint Resolution No. 1134** -- Memorials, Academic Achievement - Lake Bates. by *Curcio.

***House Joint Resolution No. 1135** -- Memorials, Recognition - Nick Trahan, Ian King, and Will Paxton, 2022 State Technology Student Association Champions. by *Howell.

***House Joint Resolution No. 1136** -- Memorials, Sports - Brody Harrison. by *Terry.

***House Joint Resolution No. 1137** -- Memorials, Sports - Hannah Cole. by *Terry.

***House Joint Resolution No. 1138** -- Memorials, Sports - Oakland High School archery team, state champions. by *Terry.

***House Joint Resolution No. 1139** -- Memorials, Sports - Drew Sanders Beam. by *Terry.

***House Joint Resolution No. 1140** -- Memorials, Retirement - Judge Richard H. Dinkins. by *Love, *Dixie, *Beck.

SENATE BILLS TRANSMITTED

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 2219** -- Tobacco, Tobacco Products - As introduced, authorizes local governments to regulate, including the prohibition of, smoking and the use of vapor products in age-restricted venues; defines the terms "age-restricted venue" and "retail tobacco store" for the purposes of the Prevention of Youth Access to Tobacco, Smoking Hemp, and Vapor Products Act. - Amends TCA Title 5; Title 6; Title 7 and Title 39. by *Briggs, *Akbari, *Reeves, *Yarbro, *Campbell. (HB2705 by *Carringer, *Sherrell, *Hall, *Byrd, *Ramsey, *Kumar, *Jernigan, *Gillespie, *Freeman, *Hicks T, *Helton, *Gant, *Clemmons)

Senate Bill No. 2547 -- Tennessee Bureau of Investigation - As introduced, permits an authorized person, in addition to an agency or organization, to directly access the computer files of the Tennessee crime information center using only names or other identifying data elements to obtain available Tennessee criminal history background information for purpose of background reviews. - Amends TCA Title 38, Chapter 6. by *Jackson, *Stevens. (*HB2780 by *Eldridge)

Senate Bill No. 2628 -- Firearms and Ammunition - As introduced, removes a short-barrel rifle or shotgun from the list of weapons the possession, manufacture, transport, repair, or sale of which is prohibited under state law. - Amends TCA Title 39, Chapter 17, Part 13. by *Niceley, *Stevens. (*HB2509 by *Grills, *Griffey, *Ragan, *Todd, *Moody, *Sexton J, *Doggett)

Senate Bill No. 2631 -- Scholarships and Financial Aid - As introduced, removes the requirement that a student must be enrolled in an eligible postsecondary program in the fall term following the student's graduation from high school, completion of high school as a Tennessee home school student, or obtaining a GED® or HiSET® diploma to be eligible to receive the Tennessee Promise scholarship. - Amends TCA Title 49, Chapter 4. by *Niceley, *Lamar. (*HB2436 by *Farmer, *Darby, *Hicks G)

Senate Bill No. 2649 -- Treasurer, State - As introduced, prohibits state treasurer from entering into a contract with a state depository if the state depository has a policy prohibiting financing to companies in the fossil fuel industry. - Amends TCA Title 4; Title 9 and Title 12. by *Gardenhire, *McNally, *Kelsey, *Stevens, *Walley, *Yager. (*HB2672 by *Terry, *Leatherwood, *Sexton C)

Senate Bill No. 2827 -- Emergency Communications Districts - As introduced, requires the emergency communications board to annually publish on its website its report to the governor and speakers of the general assembly on its activities for the preceding year; requires the board to include in its report any suggestions received from any source on amending the Emergency Communications District Law. - Amends TCA Title 4; Title 7; Title 38; Title 39; Title 49; Title 65 and Title 68. by *Hensley. (*HB2729 by *Ogles)

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 11, 2022**, reported the following:

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

GOVERNMENT OPERATIONS COMMITTEE

The Government Operations Committee recommended for passage: House Bill No. 1811, also House Bill No. 1781 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2143 and 2850 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSENT CALENDAR

House Bill No. 2024 -- Children's Services, Dept. of - As introduced, requires the department to convene a child protective investigation team when a report of severe child abuse is received; expands the role and procedures of a child protective team investigation to include cases involving severe child abuse. - Amends TCA Title 37 and Title 39. by *Littleton.

On motion, House Bill No. 2024 was made to conform with **Senate Bill No. 1911**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2168** -- Parks, Natural Areas Preservation - As introduced, enacts the "State Parks Funding Act of 2022." - Amends TCA Section 11-3-120 and Title 11, Chapter 3, Part 3. by *Lamberth, *Gant, *Freeman, *Garrett, *Faison, *Marsh, *Todd, *Vital.

On motion, House Bill No. 2168 was made to conform with **Senate Bill No. 2418**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2459** -- Criminal Offenses - As introduced, expands the offense of unlawful photography to include the photographing of an individual without the consent of the individual, if the photograph includes the unclothed intimate area of the individual and would be considered offensive or embarrassing by the individual; was taken for the purpose of offending, intimidating, embarrassing, ridiculing, or harassing the victim; and was disseminated by the defendant to any other person or the defendant threatened to disseminate, or permitted the dissemination of, the photograph. - Amends TCA Title 39, Chapter 13. by *Rudder, *Howell, *Lamberth, *Moody, *Russell, *Ramsey, *Crawford, *Helton, *Sexton J, *Beck, *Hulsey, *Doggett, *Griffey.

On motion, House Bill No. 2459 was made to conform with **Senate Bill No. 2362**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2847** -- Holidays and Days of Special Observance - As introduced, designates July 16 as "Ida B. Wells Day." - Amends TCA Title 15, Chapter 2. by *Camper, *Clemmons, *Thompson.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

On motion, House Bill No. 2847 was made to conform with **Senate Bill No. 2757**; the Senate Bill was substituted for the House Bill.

House Bill No. 2908 -- Munford - Subject to local approval, requires that newly elected officials take office after the certification of election results at the first meeting of the legislative body following an election rather than immediately after the election to allow for a more timely transition of officeholders. - Amends Chapter 75 of the Private Acts of 2005; as amended. by *Moody.

***House Bill No. 2235** -- Foster Care - As introduced, requires, in cases involving child abuse or child neglect, the agency preparing a permanency plan and the court, in developing or approving a plan, to consider whether the allegations of abuse or neglect warrant supervision of any visitation between the child and the abusing or neglecting parent and whether it is in the best interest of the child that the plan require supervised visitation between the child and the abusing or neglecting parent. - Amends TCA Title 36; Title 37 and Title 39. by *Littleton.

On motion, House Bill No. 2235 was made to conform with **Senate Bill No. 2232**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2702** -- Children's Services, Dept. of - As introduced, expands the information required to be provided in writing to foster parents by the department to include all information available to the department regarding the child's education status, mental health history and status, behavioral history, and physical disabilities. - Amends TCA Title 37. by *Littleton.

House Resolution No. 186 -- Memorials, Personal Achievement - Lucas W. Carpenter, Eagle Scout. by *Clemmons.

***House Joint Resolution No. 1084** -- Memorials, Interns - Sarah Schneider. by *Sparks.

***House Joint Resolution No. 1085** -- Memorials, Retirement - Jarvis Greer. by *Parkinson, *Thompson.

***House Joint Resolution No. 1086** -- Memorials, Academic Achievement - Kavonae Jewell, Salutatorian, Raleigh-Egypt High School. by *Parkinson.

***House Joint Resolution No. 1087** -- Memorials, Academic Achievement - Mykhayla Crawley, Valedictorian, Raleigh-Egypt High School. by *Parkinson.

***House Joint Resolution No. 1088** -- Memorials, Recognition - Dr. Kennard D. Brown, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1089** -- Memorials, Recognition - Minerva Little, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1090** -- Memorials, Recognition - Margaret Bland-McKissick, Living Legend Award. by *Cooper.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

***House Joint Resolution No. 1091** -- Memorials, Recognition - Scott Banbury, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1092** -- Memorials, Recognition - Norman Ray Redwing, Jr., Living Legend Award. by *Cooper.

***House Joint Resolution No. 1093** -- Memorials, Recognition - Tyrone Burroughs, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1094** -- Memorials, Recognition - Paula Casey, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1095** -- Memorials, Recognition - Carolyn Chism Hardy, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1096** -- Memorials, Recognition - Rear Admiral Vinson E. Smith, USN, (Retired), Living Legend Award. by *Cooper.

***House Joint Resolution No. 1097** -- Memorials, Recognition - Marquita Bradshaw, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1098** -- Memorials, Recognition - Commissioner Henri Brooks, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1099** -- Memorials, Recognition - Larry Parrish, Living Legend. by *Cooper.

***House Joint Resolution No. 1100** -- Memorials, Recognition - Kahari S. Nash, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1101** -- Memorials, Recognition - James Clark, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1102** -- Memorials, Recognition - Roy Dozier, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1103** -- Memorials, Recognition - Judge Tarik B. Sugarmon, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1104** -- Memorials, Recognition - Jermiah Tate, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1105** -- Memorials, Death - Perry H. Windle, Jr. by *Camper, *Dixie, *Hardaway, *Chism, *Cooper, *Shaw, *Clemmons, *Hakeem, *Hodges, *Love, *Mannis, *Powers.

***House Joint Resolution No. 1106** -- Memorials, Recognition - Jimmie Mae Cotton-Leach, Living Legend Award. by *Cooper.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

***House Joint Resolution No. 1107** -- Memorials, Recognition - Susan Michelle Mills, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1108** -- Memorials, Recognition - Dr. Keevia Porter, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1109** -- Memorials, Recognition - Niles Mayan Buford, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1110** -- Memorials, Academic Achievement - Dayle Bullen, Salutatorian, St. Benedict at Auburndale High School. by *Thompson.

***House Joint Resolution No. 1111** -- Memorials, Academic Achievement - Daniel Leoni, Valedictorian, St. Benedict at Auburndale High School. by *Thompson.

***House Joint Resolution No. 1112** -- Memorials, Death - Rhonda L. Munn-Banks. by *Camper.

***House Joint Resolution No. 1113** -- Memorials, Recognition - Donna Sue Taylor. by *Travis.

***House Joint Resolution No. 1114** -- Memorials, Recognition - Justin J. Pearson, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1115** -- Memorials, Recognition - Sheriff Floyd Bonner, Jr., Living Legend Award. by *Cooper.

***House Joint Resolution No. 1116** -- Memorials, Recognition - Shun C. Abram, Living Legend Award. by *Cooper.

***House Joint Resolution No. 1117** -- Memorials, Death - Stephon Smith. by *Parkinson.

***House Joint Resolution No. 1118** -- Memorials, Interns - Alexis D. Dockery. by *Parkinson.

***House Joint Resolution No. 1119** -- Memorials, Academic Achievement - Henry Lee Stone, Salutatorian, Craigmont High School. by *Parkinson.

***House Joint Resolution No. 1120** -- Memorials, Academic Achievement - Antoinette Tyneria Carter, Valedictorian, Craigmont High School. by *Parkinson.

***House Joint Resolution No. 1121** -- Memorials, Professional Achievement - Johnny Cordell, TSPMA Pioneer Award. by *Hicks G, *Travis.

***House Joint Resolution No. 1122** -- Memorials, Death - Sgt. Chris Jenkins. by *Russell.

***House Joint Resolution No. 1123** -- Memorials, Sports - White County High School archery team, state champions. by *Sherrell.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

***House Joint Resolution No. 1124** -- Memorials, Personal Occasion - Lily Jo Conway, birth. by *Whitson, *Howell, *Hall.

***House Joint Resolution No. 1125** -- Memorials, Interns - Carley Bowers. by *Vaughan.

***House Joint Resolution No. 1126** -- Memorials, Recognition - Kenneth McCallie and the McCallie Family. by *Vital.

***House Joint Resolution No. 1127** -- Memorials, Death - Chester Martin. by *Vital.

***House Joint Resolution No. 1128** -- Memorials, Recognition - Zennia Nesmith, 2022 Tennessee Community College Student of the Year. by *Vital, *Helton, *Hazlewood, *Martin, *Hakeem.

***House Joint Resolution No. 1129** -- Memorials, Academic Achievement - Abigail Hendren, Salutatorian, Millington Central High School. by *Leatherwood.

***House Joint Resolution No. 1130** -- Memorials, Academic Achievement - Aaron Blankenship, Valedictorian, Millington Central Middle High School. by *Leatherwood.

***House Joint Resolution No. 1131** -- Memorials, Recognition - Clarksville Civitan Club, 100th anniversary. by *Johnson C, *Hodges, *Reedy.

***Senate Joint Resolution No. 1483** -- Memorials, Death - Angela Lynn Pettross Martin. by *Pody.

***Senate Joint Resolution No. 1484** -- Memorials, Sports - Bolivar Central High School boys' basketball and cheer teams. by *Walley.

***Senate Joint Resolution No. 1485** -- Memorials, Sports - Fayette-Ware High School girls' basketball team. by *Walley.

***Senate Joint Resolution No. 1486** -- Memorials, Sports - Fayette-Ware High School Wildcats. by *Walley.

***Senate Joint Resolution No. 1487** -- Memorials, Sports - Riverside High School girls' basketball team. by *Walley, *Jackson.

***Senate Joint Resolution No. 1488** -- Memorials, Sports - Scotts Hill High School girls' basketball team and cheerleading squad. by *Walley.

***Senate Joint Resolution No. 1494** -- Memorials, Interns - John Robert Bagley. by *Yager.

***Senate Joint Resolution No. 1495** -- Memorials, Interns - Daniel Jacob Taft. by *Yager.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

***Senate Joint Resolution No. 1519** -- Memorials, Interns - Juliet Gear. by *Massey, *Briggs.

OBJECTION--CONSENT CALENDAR

Objections were filed to the following on the Consent Calendar:

House Joint Resolution No. 1091: by Rep. Todd

House Joint Resolution No. 1097: by Rep. Garrett

House Joint Resolution No. 1100: by Rep. Cepicky

House Joint Resolution No. 1114: by Rep. Moon

Under the rules, House Joint Resolution Nos. 1091, 1097, 1100 and 1114 were placed at the heel of the calendar for April 14, 2022.

Rep. Camper moved that all members voting aye on House Joint Resolution No. 1105 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Ragan and Todd.

Pursuant to **Rule No. 50**, Rep. Zachary moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton-

-92

Representatives present and not voting were: Powers--1

A motion to reconsider was tabled.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "present and not voting" to "aye" on **Consent Calendar** and have this statement entered in the Journal: Rep. Powers.

REGULAR CALENDAR

House Resolution No. 170 -- Memorials, Recognition - Keystone XL Pipeline workers. by *Powers, *Reedy, *Vital, *Bricken, *Todd, *Sparks, *Sherrell, *Hurt, *Helton, *Cepicky, *Ragan.

Further consideration of House Resolution No. 170, previously considered on March 24, 2022 and March 31, 2022, at which time it was reset for today's Regular Calendar.

Rep. Powers moved adoption of **House Resolution No. 170**, which motion prevailed by the following vote:

Ayes	77
Noes.....	11
Present and not voting.....	4

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Byrd, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Mannis, Marsh, Martin, McKenzie, Mitchell, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Terry, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--77

Representatives voting no were: Beck, Camper, Clemmons, Cooper, Dixie, Hakeem, Harris, Johnson G, Love, Potts, Stewart--11

Representatives present and not voting were: Chism, Miller, Powell, Thompson--4

A motion to reconsider was tabled.

PRESENT IN CHAMBER

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Rep. Hardaway was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2309** -- State Government - As introduced, extends, from not less than 30 days to 45 days, the time before a department or agency of state government executes a state professional facilities management contract for services within a state legislative district that would result in the outsourcing of facilities management services to private, nonstate government entities, that the respective department or agency must notify each member of the general assembly representing such district of the contract. - Amends TCA Title 4. by *Freeman, *White, *Gillespie, *Ramsey, *Curcio, *Calfee, *Mannis, *Sparks, *Powell, *Dixie, *Hardaway, *Miller, *Thompson, *Johnson G, *Harris. (SB2464 by *Reeves, *Briggs, *Gardenhire, *Jackson, *Powers, *Yarbro)

Rep. Freeman moved that House Bill No. 2309 be passed on third and final consideration.

Rep. Keisling moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2309 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 4-58-103, is amended by designating

subsection (a) as subdivision (a)(1) and adding the following new subdivision (a)(2):

(2) Notwithstanding another provision of this section, a public benefit does not include a professional or commercial license for purposes of this section. To be eligible for a professional or commercial license, an applicant must show that the applicant is either a United States citizen or authorized under federal law to work in the United States as verified by the SAVE program, as defined in § 4-58-102.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Whitson moved the previous question, which motion prevailed.

Rep. Freeman moved that **House Bill No. 2309**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 56

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Noes..... 35
Present and not voting..... 3

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Camper, Carringer, Casada, Chism, Clemmons, Crawford, Curcio, Darby, Dixie, Faison, Farmer, Freeman, Gillespie, Hakeem, Halford, Hardaway, Harris, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Kumar, Love, Mannis, Marsh, McKenzie, Miller, Mitchell, Potts, Powell, Ramsey, Rudder, Shaw, Sparks, Stewart, Thompson, Travis, Vital, Warner, White, Whitson, Williams, Wright--56

Representatives voting no were: Campbell S, Carr, Cepicky, Cochran, Doggett, Eldridge, Garrett, Grills, Hall, Haston, Hawk, Howell, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Martin, Moody, Moon, Ogles, Powers, Ragan, Reedy, Russell, Sexton J, Sherrell, Terry, Todd, Vaughan, Weaver, Windle, Zachary, Mr. Speaker Sexton--35

Representatives present and not voting were: Byrd, Gant, Rudd--3

A motion to reconsider was tabled.

House Bill No. 2789 -- Criminal Offenses - As introduced, defines "distribute," for purposes of the offense of unlawful exposure, as transmitting, selling, publishing, posting, displaying, or disseminating an image, by use of a telecommunication device or otherwise. - Amends TCA Title 39. by *Powell, *Shaw, *Lamberth, *Grills, *Hurt, *Eldridge, *Ogles, *Gillespie, *Thompson, *Love, *Clemmons, *Sparks. (*SB2535 by *Yarbro)

On motion, House Bill No. 2789 was made to conform with **Senate Bill No. 2535**; the Senate Bill was substituted for the House Bill.

Rep. Powell moved that Senate Bill No. 2535 be passed on third and final consideration.

Rep. Curcio moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powell moved that **Senate Bill No. 2535** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--94

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

A motion to reconsider was tabled.

***House Bill No. 1878** -- Sexual Offenders - As introduced, expands the uses of sex offender registration fees available to the registering agency to include the investigation of sexual offenses and the purchase of specialized equipment for use in the investigation of sexual offenses in addition to paying the administrative costs of the sexual offender registry. - Amends TCA Title 40, Chapter 39, Part 2. by *Littleton, *Lamberth, *Mannis, *Howell, *Todd. (SB2719 by *White)

Rep. Littleton moved that **House Bill No. 1878** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton-93

A motion to reconsider was tabled.

***House Bill No. 1957** -- Public Records - As introduced, extends the date for repeal of a current law specifying certain law enforcement body camera video must be treated as confidential and not subject to public inspection from July 1, 2022 until July 1, 2027. - Amends TCA Title 10, Chapter 7 and Title 38. by *Gillespie, *Whitson, *Hardaway, *Littleton, *Hawk, *Alexander, *Thompson. (SB2061 by *Johnson)

On motion, House Bill No. 1957 was made to conform with **Senate Bill No. 2061**; the Senate Bill was substituted for the House Bill.

Rep. Gillespie moved that Senate Bill No. 2061 be passed on third and final consideration.

Rep. Keisling requested that State Government Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Ragan moved that Government Operations Committee Amendment No. 1, as House Amendment No. 2, be withdrawn, which motion prevailed.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Rep. Keisling moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Gillespie moved that **Senate Bill No. 2061** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

House Bill No. 2159 -- Election Laws - As introduced, requires the office of the secretary of state to report to the general assembly on its ability to perform random audits of ballots cast in every primary and general election held in this state. - Amends TCA Title 2. by *Whitson, *Casada, *Lynn. (*SB2059 by *Johnson)

Rep. Whitson moved that House Bill No. 2159 be passed on third and final consideration.

Rep. Crawford moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2159 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 2-7-111, is amended by adding the following language as a new subsection:

() In a polling place where precinct-based optical scanners are utilized, the election commission shall post instructions stating, "Please check the recorded votes on your ballot before inserting into scanner."

SECTION 2. Tennessee Code Annotated, Section 2-20-103(a)(1), is amended by adding the following language as a new subdivision:

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(E) At the same time the machines are inspected under § 2-9-105, the machine technicians shall certify in writing that the proper firmware is loaded on each unit of voting equipment and that the system settings are correct.

SECTION 3. Tennessee Code Annotated, Title 2, Chapter 20, is amended by adding the following as a new section:

(a)

(1) Following each election in a county having a population of not less than two hundred forty-seven thousand seven hundred (247,700) nor more than two hundred forty-seven thousand eight hundred (247,800), according to the 2020 federal census or a subsequent federal census, the county election commission shall, in accordance with this section, conduct automatic mandatory audits of the voter-verified paper ballots cast in each election conducted in 2022.

(2) After the November 2022 election, the county election commission shall audit ballots for the governor in a gubernatorial election. The county election commission may select one (1) or more additional races to be audited.

(3) After the August 2022 and May 2022 elections, the county election commission shall audit ballots for the contested election to the highest countywide office. The county election commission may select one (1) or more additional races to be audited.

(4) For any other election, the county election commission shall select one (1) or more races in which more than one (1) candidate is running to be audited.

(b)

(1) The county election commission shall prepare to conduct the audit in the following manner:

(A) Prior to each election, the county election commission shall first assure that each precinct-based optical scanner used to count absentee by-mail ballots, early voting ballots, and election day ballots have been cleaned of debris;

(B) At the same time the machines are inspected under § 2-9-105, the machine technicians shall certify in writing that the

proper firmware is loaded on each unit of voting equipment and that system settings are correct; and

(C)

(i) The county election commission shall randomly select at least one (1) precinct-based optical scanner from a convenience voting center in the county; and

(ii) The county election commission shall randomly select at least one (1) precinct to audit the absentee by-mail ballots cast in the precinct.

(2) No later than the day after the election and at a place open to the public, the county election commission shall randomly select the voting convenience center or centers, as appropriate, and shall select at least one (1) precinct-based optical scanner used to count ballots during early voting to be used for the automatic mandatory audit and shall announce to the public the results of the random drawing. The method of random selection used by the county election commission must ensure that all voting precincts in the county and all precinct-based optical scanners used to count ballots cast during early voting have an equal chance of being selected. The county election commission shall give public notice at least forty-eight (48) hours prior to the audit being conducted.

(c)

(1) After the unofficial election results, excluding provisional ballots, have been determined and made public, a county election commissioner from the majority party and a county election commissioner from the minority party shall have all absentee by-mail ballots, all ballots cast during the early voting period, and all ballots cast on election day locked and secured until the county election commission convenes to conduct the audit. The county election commission shall also lock and secure each precinct-based optical scanner used in the election process until the county election commission convenes to conduct the audit.

(2) Before the election is certified, the automatic audit must be conducted in the following manner:

(A) At a time and place open to the public, the county election commission shall identify the ballot boxes containing the absentee by-mail ballots cast in the randomly selected voting precinct or precincts and identify the ballot boxes containing the election day ballots cast in the randomly selected convenience

voting center or centers. The election commission shall include in the audit only those absentee by-mail ballots that were counted by a precinct-based optical scanner rather than by hand. A county election commissioner from the majority party and a county election commissioner from the minority party, personally holding the keys to such ballot box or boxes, shall unlock the ballot box or boxes;

(B) The election commission shall identify and remove from the respective ballot box or boxes each ballot cast in the absentee by-mail voting process in the selected precincts that were counted by a precinct-based optical scanner and each ballot cast on election day in the selected convenience voting center or centers;

(C)

(i) In auditing the precinct-based optical scanner that had been used to originally count the early voting voter-verified paper ballots, the county election commission shall remove the early voting ballots contained in the ballot box of the precinct-based optical scanner and shall verify the accuracy of the unofficial election results by hand counting the ballots;

(ii) In auditing the absentee by-mail ballots which were counted by a precinct-based optical scanner, the county election commission shall take the absentee by-mail ballots from the randomly selected voting precinct or precincts and shall verify the accuracy of the unofficial election results by hand counting the absentee by-mail ballots;

(iii) In auditing the election day ballots, the county election commission shall take the election day ballots from the randomly selected voting precinct or precincts and shall verify the accuracy of the unofficial election results by hand counting the ballots; and

(iv) To judge the accuracy of the unofficial election results, the county election commission shall compare the results obtained during the automatic audit with the unofficial election results obtained on election night;

(D)

(i) If as a result of the automatic audit, the county election commission finds that there is a variance of more than one percent (1%) between the unofficial election results and the automatic audit, the county election commission shall randomly select at least one (1) precinct-based optical scanner from two (2) additional convenience voting centers in the county. The county election commission must identify the ballot box or boxes from the subject convenience voting centers, obtain the ballots out of those ballot boxes, and then hand count the ballots;

(ii) If all of the ballots in a race are counted as part of the manual hand count audit, the results of the hand count audit shall be used as the official results to be certified by the county election commission; and

(iii) The results of a difference between precinct-based optical scanner tabulations or the hand count audit must be available for use in any election contest filed pursuant to chapter 17 of this title; and

(E) The county election commission shall report the results of the 2022 hand count election audit pilot to the coordinator of elections and make the report available to the public.

(d) This section is deleted on January 1, 2023, and will no longer be effective on and after that date.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Whitson moved that **House Bill No. 2159**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Parkinson, Potts, Powell, Powers, Ragan, Ramsey,

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--95

Representatives voting no were: Ogles--1

A motion to reconsider was tabled.

***House Bill No. 2284** -- Wills - As introduced, creates a presumption of suspicious circumstances if a holographic will is written within one month prior to a testator's death by suicide and places the burden of presenting evidence that the testator had the capacity to execute the will on the proponent of the will. - Amends TCA Title 32. by *Beck, *Garrett, *Harris. (SB2242 by *Lundberg)

Rep. Beck moved that House Bill No. 2284 be passed on third and final consideration.

Rep. Farmer moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2284 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 32-4-105, is amended by designating the current language as subsection (a) and adding the following language as subsection (b):

(b) Upon the contest of a holographic will, if the holographic will was written within thirty (30) days prior to a testator's death and the testator died by suicide, then there is a presumption of suspicious circumstances and the proponent of the will has the burden of presenting evidence demonstrating that the testator had the capacity to execute the will.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Beck moved that **House Bill No. 2284**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G,

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

***House Bill No. 1943** -- Tort Liability and Reform - As introduced, removes the requirement for court approval of a tort claim settlement involving a minor that is less than \$10,000. - Amends TCA Title 29, Chapter 34 and Title 34, Chapter 1. by *Beck, *Garrett. (SB2201 by *Yarbro, *Campbell)

On motion, House Bill No. 1943 was made to conform with **Senate Bill No. 2201**; the Senate Bill was substituted for the House Bill.

Rep. Beck moved that Senate Bill No. 2201 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Beck moved that **Senate Bill No. 2201** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

***House Bill No. 2673** -- Education - As introduced, requires the governing body of each LEA to adopt a written policy prohibiting the teaching of anti-Semitic concepts in schools by

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

teachers and administrative staff employed by the LEA; requires that the policy be distributed or made available to each teacher and staff member at the beginning of each school year. - Amends TCA Title 49. by *Sexton J, *Griffey, *Howell, *Moody, *Reedy, *Powers. (SB2684 by *Rose)

Rep. J. Sexton moved that House Bill No. 2673 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2673 by deleting all language after the caption and substituting:

WHEREAS, antisemitism, including harassment on the basis of actual or perceived Jewish origin, ancestry, ethnicity, identity, affiliation, or faith, remains a persistent, pervasive, and disturbing problem in contemporary American society; and

WHEREAS, the Uniform Crime Reporting program reported that Jews are consistently the most likely of all religious groups to be victimized by incidents of hate; and

WHEREAS, state officials and institutions have a responsibility to protect citizens from acts of hate and bigotry motivated by discriminatory animus, including antisemitism and must be given the tools to do so; and

WHEREAS, valid monitoring, informed analysis and investigation, and effective policy-making all require uniform definitions; and

WHEREAS, while there can be no exhaustive definition of antisemitism, as it can take many forms, the International Holocaust Remembrance Alliance (IHRA) working definition has been an essential definitional tool used to determine contemporary manifestations of antisemitism, and includes useful examples of discriminatory anti-Israel acts that cross the line into antisemitism; and

WHEREAS, the IHRA definition is used by various agencies of the federal government and the thirty-three governments that are members of the International Holocaust Remembrance Alliance; recommended for use by the European Council and the European Parliament; endorsed by the United Nations Secretary General and the Secretary General of the Organization of American States; included in policy guides prepared by the Organization for Security and Cooperation in Europe; and formally adopted by a growing number of European nations, cities, universities, and civil society organizations; and

WHEREAS, use of this definition of antisemitism, although it is not to be taken as an exhaustive definition, will increase the awareness and understanding of the

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

parameters of contemporary anti-Jewish discrimination in certain circumscribed areas;
now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

(a) If a state governmental entity or an LEA receives a complaint from a person who alleges that antisemitism has occurred on the premises of a public school serving any of the grades kindergarten through twelve (K-12), or through electronic outreach from a public school serving any of the grades kindergarten through twelve (K-12), then the respective state governmental entity or LEA shall take into consideration the working definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) on May 26, 2016, including the "contemporary examples of antisemitism," in determining whether the alleged act was motivated by antisemitic intent.

(b)

(1) This section does not diminish or infringe upon rights protected under Article I, § 3 of the Constitution of Tennessee or the First Amendment to the Constitution of the United States.

(2) This section shall not be construed to conflict with other federal or state discrimination laws.

(3) This section does not alter the evidentiary requirements pursuant to which a state governmental entity or LEA determines that conduct, including harassment, amounts to actionable discrimination.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following as a new section:

(a) If a state governmental entity or an institution of higher education receives a complaint from a person who alleges that antisemitism has occurred on the premises of an institution of higher education, or through electronic outreach from an institution of higher education, then the respective state governmental entity or institution of higher education shall take into consideration the working definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) on May 26, 2016, including the "contemporary examples of antisemitism," in determining whether the alleged act was motivated by antisemitic intent.

(b)

(1) This section does not diminish or infringe upon rights protected under Article I, § 3 of the Constitution of Tennessee or the First Amendment to the Constitution of the United States.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

(2) This section shall not be construed to conflict with other federal or state discrimination laws.

(3) This section does not alter the evidentiary requirements pursuant to which a state governmental entity or an institution of higher education determines that conduct, including harassment, amounts to actionable discrimination.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Boyd moved the previous question, which motion prevailed.

Rep. J. Sexton moved that **House Bill No. 2673**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--95

Representatives present and not voting were: Cooper--1

A motion to reconsider was tabled.

***House Bill No. 2730** -- Education, Higher - As introduced, requires institutions of higher education to provide the annual report of crime statistics for crimes occurring on campus and in student housing to members of the public upon request. - Amends TCA Title 4; Title 7; Title 8; Title 9; Title 33; Title 38; Title 39; Title 40; Title 43; Title 49; Title 62 and Title 68. by *Ogles, *Moody. (SB2830 by *Hensley)

Rep. Ogles moved that House Bill No. 2730 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Amendment No. 1

AMEND House Bill No. 2730 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-7-2203(a), is amended by adding the following after the first sentence in the subsection:

Each report must be certified by the president or the chancellor of the respective institution of higher education, or the president's or chancellor's designee.

SECTION 2. Tennessee Code Annotated, Section 49-7-2205(a), is amended by adding the following to the end of the subsection:

The report must include the name and position of each official at each institution of higher education that certified the report submitted to the Tennessee bureau of investigation pursuant to § 49-7-2203(a) for the respective institution.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 7, Part 22, is amended by adding the following as a new section:

The comptroller of the treasury may conduct a review of an institution of higher education to ensure that the institution is complying with the requirements of this part.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Ogles moved that **House Bill No. 2730**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	79
Noes.....	16

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, Miller, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Terry, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--79

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Representatives voting no were: Chism, Clemmons, Cooper, Dixie, Hardaway, Harris, Hodges, Johnson G, McKenzie, Mitchell, Parkinson, Potts, Powell, Stewart, Thompson, Towns--16

A motion to reconsider was tabled.

***House Bill No. 2271** -- Criminal Procedure - As introduced, expands the offenses for which certain items may be seized utilizing criminal asset forfeiture. - Amends TCA Title 8; Title 16; Title 17; Title 19; Title 20; Title 29; Title 39 and Title 40. by *Ogles, *Griffey, *Hardaway, *Moody, *Powers, *Littleton, *Todd. (SB2682 by *Rose, *Stevens)

On motion, House Bill No. 2271 was made to conform with **Senate Bill No. 2682**; the Senate Bill was substituted for the House Bill.

Rep. Ogles moved that Senate Bill No. 2682 be passed on third and final consideration.

Rep. Hazlewood moved adoption of Finance, Ways, and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2682 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-11-703, is amended by deleting subsection (c) and substituting:

(c)

(1) The items enumerated in subdivision (c)(2) are subject to judicial forfeiture as provided in this part for a violation of the following offenses:

(A) For an offense committed on or after July 1, 2022:

(i) Kidnapping, as defined in § 39-13-303;

(ii) Aggravated kidnapping, as defined in § 39-13-304;

(iii) Especially aggravated kidnapping, as defined in § 39-13-305;

(iv) Aggravated rape of a child, as defined in § 39-13-531;

(v) Rape of a child, as defined in § 39-13-522;

(vi) Aggravated rape, as defined in § 39-13-502;

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(vii) Rape, as defined in § 39-13-503; and

(viii) Commission of an act of terrorism, as defined in § 39-13-805; and

(B) For an offense committed on or after July 1, 2011:

(i) Involuntary labor servitude, as defined in § 39-13-307;

(ii) Trafficking for forced labor or services, as defined in § 39-13-308; and

(iii) Trafficking for commercial sex acts, as defined in § 39-13-309.

(2) The items to which subdivision (c)(1) applies are:

(A) When used or intended to be used in connection with such violation:

(i) Conveyances, including aircraft, motor vehicles, and other vessels;

(ii) Books, records, telecommunication equipment, or computers;

(iii) Money or weapons; and

(iv) Real property;

(B) Everything of value furnished, or intended to be furnished, in exchange for an act in violation of such statutes, including all proceeds traceable to the exchange, and all negotiable instruments and securities used, or intended to be used, to facilitate the violation;

(C) Any property, real or personal, directly or indirectly acquired by or received in violation of such statutes, or as an inducement to violate such statutes, or any property traceable to the proceeds from the violation; and

(D) Any real property, including any right, title, and interest in the whole of or any part of any lot or tract of land and any property used as an instrumentality in or used in furtherance of such violation.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

SECTION 2. Tennessee Code Annotated, Section 39-11-713, is amended by deleting subsection (a) and substituting:

(a) All property ordered forfeited shall be sold at public auction. The proceeds from all property forfeited and sold at public auction shall be disposed of by the court as directed by this part. If the property seized and ordered forfeited was taken from the lawful owner through theft or fraud, then the property shall be returned to the lawful owner, or restitution provided, as the court determines. If the defendant owes restitution, the proceeds shall first be directly applied to satisfy any judgments against the defendant for restitution in favor of the victim. The attorney general shall then be compensated for all expenses incident to the litigation, as approved by the court. Any such costs for appeals shall be provided for by the trial court upon conclusion of the litigation. The attorney general shall then direct that any public agency be reimbursed for out-of-pocket expenses resulting from the investigation, seizure, and storage of the forfeited property.

SECTION 3. Tennessee Code Annotated, Section 39-11-703(c)(1), is amended by adding the following as a new subdivision:

() For an offense committed on or after the effective date of Section 3 of this act:

- (i) Especially aggravated rape;
- (ii) Especially aggravated rape of a child; or
- (iii) Grave torture;

SECTION 4. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 5.

(1) Sections 1, 2, and 4 of this act take effect July 1, 2022, the public welfare requiring it.

(2) Section 3 of this act takes effect on the day following enactment of Senate Bill 2841/House Bill 2244 by the 112th General Assembly, creating the offenses of especially aggravated rape, especially aggravated rape of a child, and grave torture are implemented therein, the public welfare requiring it.

On motion, Finance, Ways, and Means Committee Amendment No. 1 was adopted.

Rep. Ogles moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

AMEND Senate Bill No. 2682 by deleting subdivision (2) of SECTION 5 and substituting:

(2) Section 3 of this act takes effect on the day following the effective date of Sections 1 through 3 of Senate Bill 2841/House Bill 2244 by the 112th General Assembly, creating the offenses of especially aggravated rape, especially aggravated rape of a child, and grave torture, the public welfare requiring it.

On motion, House Amendment No. 2 was adopted by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--94

Rep. Ogles moved that **Senate Bill No. 2682**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

House Bill No. 2294 -- Education, Curriculum - As introduced, requires that students in grades six through eight complete a financial literacy course. - Amends TCA Title 49. by *Love, *Hardaway, *Towns, *Dixie, *Camper, *Mannis, *Jernigan, *Clemmons, *Thompson, *Miller, *Harris. (*SB2174 by *Akbari)

Rep. Love moved that House Bill No. 2294 be passed on third and final consideration.

Rep. Moody moved adoption of Education Instruction Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2294 by deleting "shall" in subsection (a) of Section 1 and substituting "is urged to".

On motion, Education Instruction Committee Amendment No. 1 was adopted.

Rep. Love moved that **House Bill No. 2294**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

***House Bill No. 2600** -- Purchasing and Procurement - As introduced, authorizes a local governmental entity having a non-centralized purchasing authority to, by resolution or ordinance of its governing body, increase the threshold over which public advertisement and sealed competitive bids or proposals are required to an amount not to exceed \$25,000 for nonemergency, nonproprietary purchases. - Amends TCA Section 12-3-1212. by *McKenzie, *Whitson, *Beck, *Towns, *Camper, *Johnson G. (SB2489 by *Briggs)

Rep. McKenzie moved that House Bill No. 2600 be passed on third and final consideration.

Rep. Crawford moved adoption of Local Government Committee Amendment No. 1 as follows:

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Amendment No. 1

AMEND House Bill No. 2600 by deleting subsection (d) from SECTION 1 and substituting instead the following:

(d) For purposes of this section, a "full-time purchasing agent" means a person who devotes the whole of the person's working time to the demands and duties of the office of purchasing agent.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Faison moved that **House Bill No. 2600** be reset for the Regular Calendar on April 25, 2022, which motion prevailed.

***House Bill No. 1860** -- Education - As introduced, allows teachers, schools, and LEAs to use results from benchmark assessments, including, but not limited to, state-adopted benchmark assessments or a universal screener approved by the state board of education, to measure student achievement, student performance, and student growth. - Amends TCA Title 49, Chapter 1. by *Haston, *Weaver, *Hardaway, *Cochran. (SB1890 by *Hensley, *Yager)

On motion, House Bill No. 1860 was made to conform with **Senate Bill No. 1890**; the Senate Bill was substituted for the House Bill.

Rep. Haston moved that Senate Bill No. 1890 be passed on third and final consideration.

Rep. Moody moved that Education Instruction Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Haston moved that **Senate Bill No. 1890** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

***House Bill No. 1891** -- Education - As introduced, requires the coordinated school health program to submit a mid-year report to the department of education to determine if funds within the program should be redistributed. - Amends TCA Title 49, Chapter 1, Part 10. by *Haston. (SB1888 by *Hensley)

On motion, House Bill No. 1891 was made to conform with **Senate Bill No. 1888**; the Senate Bill was substituted for the House Bill.

Rep. Haston moved that Senate Bill No. 1888 be passed on third and final consideration.

Rep. White moved that Education Administration Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Haston moved that **Senate Bill No. 1888** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

***House Bill No. 2300** -- Basic Education Program (BEP) - As introduced, requires a high school student who completes an early high school graduation program to be counted as enrolled in the LEA from which the student graduated for the remainder of the school year in which the student graduated early for purposes of calculating the BEP allocation for the respective LEA. - Amends TCA Title 49, Chapter 3. by *Haston. (SB2328 by *Hensley)

Rep. Haston moved that House Bill No. 2300 be passed on third and final consideration.

Rep. White moved adoption of Education Administration Committee Amendment No. 1 as follows:

Amendment No. 1

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

AMEND House Bill No. 2300 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 3, Part 3, is amended by adding the following as a new section:

49-3-371.

A high school student who completes an early high school graduation program pursuant to § 49-6-8103 must be counted as enrolled in the LEA from which the student graduated for the remainder of the school year in which the student graduated early for purposes of calculating the LEA's ADM or FTEADM for the respective school year.

SECTION 2. Tennessee Code Annotated, Section 49-3-371, is amended by designating the current language as subsection (a) and adding the following as a new subsection:

(b) This section is repealed on July 1, 2023.

SECTION 3. Section 1 of this act takes effect July 1, 2022, the public welfare requiring it. Section 2 of this act takes effect July 1, 2022 at 12:01 a.m., if Senate Bill 2396 / House Bill 2143 becomes law, the public welfare requiring it.

On motion, Education Administration Committee Amendment No. 1 was adopted.

Rep. Haston moved that **House Bill No. 2300**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97

Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

***House Bill No. 2149** -- Regional Authorities and Special Districts - As introduced, changes, from "presiding officer" to "chair," the member of the Carroll County watershed

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

authority board of directors who notifies the appointing authority of a member who fails to satisfy the attendance requirement for the board. - Amends TCA Title 4; Title 11; Title 64, Chapter 1, Part 8 and Title 70. by *Lamberth, *Gant, *Halford, *Faison, *Williams, *Boyd. (SB2402 by *Johnson, *Stevens)

On motion, House Bill No. 2149 was made to conform with **Senate Bill No. 2402**; the Senate Bill was substituted for the House Bill.

Rep. Halford moved that Senate Bill No. 2402 be passed on third and final consideration.

Rep. Grills moved adoption of Agriculture & Natural Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2402 by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 64, Chapter 1, Part 8, is amended by adding the following as a new section:

64-1-810. Carroll County 1,000 Acre Lake.

(a) Notwithstanding this part to the contrary, this section is applicable to Carroll County 1,000 Acre Lake, a lake located in Carroll County.

(b) The responsibility for the administration of Carroll County 1,000 Acre Lake under this part is transferred from the authority to the Tennessee wildlife resources agency.

(c) All powers and duties of the authority under this part, with respect to Carroll County 1,000 Acre Lake, are transferred to and must be exercised and performed by the Tennessee wildlife resources agency.

(d) All powers and duties of the executive secretary under this part, with respect to Carroll County 1,000 Acre Lake, are transferred to and must be exercised by the executive director of the Tennessee wildlife resources agency.

(e)

(1) The Tennessee wildlife resources agency shall:

(A) Appear before the finance, ways and means committees of the house of representatives and the senate to present an overview of the budget for administering the Carroll County 1,000 Acre Lake in accordance with this section, including both income and expenditures related to the administration of the lake; and

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

(B) File a copy of the budget for administering the Carroll County 1,000 Acre Lake with the finance, ways and means committees of the house of representatives and the senate, and the legislative librarian.

(2) The Tennessee wildlife resources agency shall present and file the budget for administering Carroll County 1,000 Acre Lake no later than February 1 of each year.

SECTION 2. Tennessee Code Annotated, Section 70-1-302, is amended by adding the following as a new subsection:

(l) The agency shall administer Carroll County 1,000 Acre Lake pursuant to § 64-1-810.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

On motion, Agriculture & Natural Resources Committee Amendment No. 1 was adopted.

Rep. Lamberth moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2402 by adding the following language as a preamble between the caption and the enacting clause:

WHEREAS, it is most fitting that this body should recognize a dedicated, effective, and long-serving elected official of the State of Tennessee, namely one Curtis Halford of Dyer; and

WHEREAS, Representative Halford proudly represented the good people of Gibson County and Carroll County for fourteen years; and

WHEREAS, the citizens of the 79th House District have counted on Curtis Halford to represent their values and concerns at the State Capitol, and he has done so ably while still maintaining his focus on matters of statewide importance; and

WHEREAS, first elected to the 106th General Assembly, Representative Halford has capped his illustrious legislative career by serving as the chair of the House Agriculture and Natural Resources Committee since its inception some ten years ago; and

WHEREAS, Representative Curtis Halford has established a high standard for present and future legislative service; and

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

WHEREAS, the transfer of the responsibility for the administration of Carroll County 1,000 Acre Lake from the Carroll County Watershed Authority to the Tennessee Wildlife Resources Agency opens a new page in the history of the body of water heretofore known as Carroll County 1,000 Acre Lake; and

WHEREAS, it is fitting to acknowledge a new era for Carroll County 1,000 Acre Lake and honor the exemplary service that Curtis Halford has dutifully provided to the residents of Gibson County and Carroll County by renaming Carroll County 1,000 Acre Lake as Lake Halford; now, therefore,

AND FURTHER AMEND by deleting the language "Carroll County 1,000 Acre Lake" wherever it appears and substituting "Lake Halford".

AND FURTHER AMEND by deleting subsection (a) in Section 1 and substituting instead the following:

(a) Notwithstanding this part to the contrary, this section is applicable to the lake located in Carroll County heretofore known as Carroll County 1,000 Acre Lake, and which on and after the effective date of this act is hereby renamed and known as Lake Halford.

On motion, House Amendment No. 2 was adopted by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--96

Rep. Halford moved that **Senate Bill No. 2402**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--97

A motion to reconsider was tabled.

***House Bill No. 2184** -- DUI Offenses - As introduced, makes various changes to the ignition interlock requirements for people convicted of driving under the influence; creates a licensing system for ignition interlock manufacturers, service centers, technicians, and subcontractors, to be administered by the department of safety. - Amends TCA Title 55, Chapter 10, Part 4. by *Lamberth, *Gant, *Garrett, *Ogles. (SB2434 by *Johnson, *Stevens)

On motion, House Bill No. 2184 was made to conform with **Senate Bill No. 2434**; the Senate Bill was substituted for the House Bill.

Rep. Garrett moved that Senate Bill No. 2434 be passed on third and final consideration.

Rep. Curcio moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2434 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-10-409(b)(2)(B)(iv), is amended by adding the following as new subdivisions:

() Reckless endangerment under § 39-13-103, if the charged offense was driving under the influence under § 55-10-401;

() Driving under the influence under § 55-10-401;

SECTION 2. Tennessee Code Annotated, Section 55-10-409(c)(1), is amended by adding the following as a new subdivision:

() Medical treatment of the person or an immediate family member or provision of care for the person or an immediate family member suffering from a serious illness.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

SECTION 3. Tennessee Code Annotated, Section 55-10-409(d)(2)(A), is amended by deleting "and for a period of six (6) months after the license revocation period has expired if required by § 55-10-417(k)".

SECTION 4. Tennessee Code Annotated, Section 55-10-417(a)(3), is amended by deleting the subdivision and substituting:

(3) If a person is ordered to install and use the device due to the requirements of § 55-10-409 or subdivision (a)(1) or (a)(2) due to a violation of either § 55-10-401 or § 55-10-406, then the restriction must be a condition of probation or supervision for the entire period of the restriction.

SECTION 5. Tennessee Code Annotated, Section 55-10-417(b), is amended by deleting the subsection and substituting:

(b) Upon ordering a functioning ignition interlock device pursuant to § 55-10-409 or subdivision (a)(1) or (a)(2), the court must establish a specific calibration setting of two-hundredths of one percent (0.02%) blood alcohol concentration at which the functioning ignition interlock device will prevent the motor vehicle from being started.

SECTION 6. Tennessee Code Annotated, Section 55-10-417(c), is amended by deleting the language "Upon ordering the use of a functioning ignition interlock device pursuant to § 55-10-409 or subdivision (a)(1), subdivision (a)(2), or subsection (k) the court shall:" and substituting:

Upon ordering the use of a functioning ignition interlock device pursuant to § 55-10-409 or subdivision (a)(1) or (a)(2), the court must:

SECTION 7. Tennessee Code Annotated, Section 55-10-417(d), is amended by deleting "§ 55-10-409, subdivision (a)(1) or subsection (k)" and substituting instead "§ 55-10-409 or subdivision (a)(1)".

SECTION 8. Tennessee Code Annotated, Section 55-10-417(k), is amended by deleting the subsection and substituting:

(k) A person who was required under this subsection (k), as it existed on June 30, 2022, to install and use an ignition interlock device on a motor vehicle for six (6) months following reinstatement of the person's driver license after two (2) or more convictions for § 55-10-401 within five (5) years, may petition the department for reinstatement of the person's driver license. If the person is in compliance with all other requirements for reinstatement and has no other revocations or suspensions on the person's driving record, then the department must reinstate the driver license.

SECTION 9. Tennessee Code Annotated, Section 55-10-417(l), is amended by deleting the subsection and substituting:

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

(l) If a person is required by a court order issued pursuant to this section, by statutory requirement, in the court's discretion, or at the defendant's request, to operate only a motor vehicle that is equipped with a functioning ignition interlock device, and the offense for which the ignition interlock device is ordered occurs on or after July 1, 2016, then the compliance-based provisions of § 55-10-425 must govern the required periods of continuous operation, default interlock orders, authorized removal of the device, and other enforcement aspects of the ignition interlock requirements set out in § 55-10-425.

SECTION 10. Tennessee Code Annotated, Section 55-10-417(m), is amended by deleting "§ 55-10-409 or subdivision (a)(1), subdivision (a)(2), or subsection (k)" and substituting "§ 55-10-409 or subdivision (a)(1) or (a)(2)".

SECTION 11. Tennessee Code Annotated, Section 55-10-425(a), is amended by deleting the subsection and substituting:

(a)

(1) Effective July 1, 2016, the authorized removal of any functioning ignition interlock device that is required by a court order, by statutory requirement, in the court's discretion, or at the defendant's request, must be compliance-based in accordance with this section.

(2) As used in this section:

(A) "Ignition interlock provider" means a provider that is licensed by the department pursuant to SECTION 26 of this act;

(B) "Ignition interlock usage period" means a three-hundred-sixty-five-consecutive-day period or the entire period of the person's driver license revocation, whichever is longer; and

(C) "In writing" means either electronically or by regular mail.

SECTION 12. Tennessee Code Annotated, Section 55-10-425(b)(1), is amended by deleting the subdivision and substituting:

(1) Except as provided in subdivision (b)(2), upon application by a person who is not otherwise prohibited from having a restricted license, the court must order the installation and use of a functioning ignition interlock device for the ignition interlock usage period. The consecutive-day requirement must be considered to commence on the date of interlock installation, provided that the person applies for the person's restricted license within ten (10) days of the issuance of a court order authorizing a restricted license. If the person does not have a court order or does not apply within ten (10) days, then the ignition interlock usage period must commence on the date of issuance of the driver license with interlock restrictions under subdivision (b)(2).

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

SECTION 13. Tennessee Code Annotated, Section 55-10-425(b)(2), is amended by deleting the subdivision and substituting:

(A) If a functioning ignition interlock device is required, ordered, or requested to be installed and used pursuant to subdivision (a)(1), then the ignition interlock usage period required by subdivision (b)(1) and the final one-hundred-twenty-day period of violation-free use required by subdivision (d)(1) are applicable regardless of whether the person applies for a restricted license during the revocation period.

(B) The department shall not reinstate a driver license to a person who did not apply for a restricted driver license during the period of license revocation, regardless of whether the person had an ignition interlock device installed, until the person shows the department proof of a current ignition interlock installation. Upon proof being shown and the driver license reinstated with interlock restrictions, the ignition interlock usage period must commence on the date the license is reinstated and must continue for the full ignition interlock usage period that matches the person's license revocation period until compliance has been established as required in this section.

(C) The department shall not accept a court order waiving any ignition interlock requirements if the court order is not in compliance with this part.

SECTION 14. Tennessee Code Annotated, Section 55-10-425(b)(4)(A), is amended by deleting "a three hundred sixty-five consecutive day period or for the entire period of the driver license revocation period, whichever is longer" and substituting "the ignition interlock usage period".

SECTION 15. Tennessee Code Annotated, Section 55-10-425(c), is amended by deleting the subsection and substituting:

(c)

(1) A person required to install and use only a functioning ignition interlock device pursuant to this section is prohibited from:

(A) Removing or causing to be removed the ignition interlock device from the motor vehicle;

(B) Failing to appear at the ignition interlock device provider when required for calibration, monitoring, or inspection of the device; and

(C) Tampering with or circumventing the ignition interlock device.

(2) Unless as otherwise provided in subsection (h), the person must maintain the device in working order for the ignition interlock usage period.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(3) Failure to comply with the requirements of this subsection (c) will result in the ignition interlock usage period starting over.

SECTION 16. Tennessee Code Annotated, Section 55-10-425(d), is amended by deleting the subsection and substituting:

(d)

(1) During the final one-hundred-twenty-day period of an ignition interlock usage period, the person shall not:

(A) Tamper with, circumvent, or attempt to start the motor vehicle with a breath alcohol concentration in excess of the two-hundredths of one percent (0.02%) blood alcohol concentration calibration setting required by § 55-10-417(b); provided, however, that a person is not in violation of this subdivision (d)(1)(A) for attempting to start the motor vehicle, if a subsequent retest within ten (10) minutes shows a breath alcohol concentration of two-hundredths of one percent (0.02%) or less and review of the digital images associated with each test confirms that the same person performed both tests;

(B) Fail to take or skip a rolling retest when required by the ignition interlock device; provided, however, that a person is not in violation of this subdivision (d)(1)(B) for failing to take or skipping a rolling retest if a review of the digital images associated with the test confirms that the motor vehicle was not occupied by the driver at the time of the retest;

(C) Fail a rolling test required by the ignition interlock device with a breath alcohol concentration in excess of two-hundredths of one percent (0.02%); provided, however, that a person is not in violation of this subdivision (d)(1)(C) for failing a rolling test, if a subsequent retest within ten (10) minutes shows a breath alcohol concentration of two-hundredths of one percent (0.02%) or less and review of the digital images associated with each test confirms that the same person performed both tests; or

(D) Remove the ignition interlock device from the motor vehicle, except for necessary maintenance, replacement, or repair as determined by the department, or as allowed by subsection (h).

(2)

(A) Failure to comply with subdivisions (d)(1)(A)–(d)(1)(C) must result in the extension of the ignition interlock usage period by one hundred twenty (120) days during which the person must

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

remain in compliance with subdivisions (d)(1)(A)–(d)(1)(C) in order to avoid additional extension.

(B) Failure to comply with subdivision (d)(1)(D) must result in the restart of the full ignition interlock usage period as prescribed in subdivision (c)(3).

(3) The requirement to have an interlock device shall not be removed from the person's driver license unless the requirements of this subsection (d) have been met.

SECTION 17. Tennessee Code Annotated, Section 55-10-425(e), is amended by deleting the subsection and substituting:

(e)

(1) If at any time during the ignition interlock usage period, the department determines that the person has committed a violation of subsection (c), then the ignition interlock usage period must start again from the date compliance was reestablished.

(2) Notwithstanding subdivision (e)(1), if at any time during the final one hundred twenty (120) days of the ignition interlock usage period, the department determines that the person has committed a violation of subsection (d), then the one-hundred-twenty-day period must start again from the date of the violation.

SECTION 18. Tennessee Code Annotated, Section 55-10-425(f), is amended by deleting the subsection and substituting instead:

(1)

(A) Upon completion of the ignition interlock usage period, the person must take the motor vehicle to an ignition interlock provider for a final download of the person's data file and a determination as to whether the person has successfully completed the ignition interlock usage period without violations of subsection (c) and whether the final one-hundred-twenty-day period was completed without violations of subsection (d).

(B) The ignition interlock provider must send the data file from the person's final download to the department within two (2) business days.

(C) If the person has successfully completed the ignition interlock usage period without violations of subsection (c) and the final one-hundred-twenty-day period was completed without violations of subsection (d), then the ignition interlock provider must issue a compliance determination form to the person. If the person has not successfully completed the ignition interlock usage period without violations of subsection (c), or the final one-hundred-twenty-day period

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

was not completed without violations of subsection (d), then the ignition interlock provider must notify the person of noncompliance and the resulting extension of the ignition interlock requirement on the compliance determination form. The ignition interlock provider must use the compliance determination form published by the department.

(D) If the ignition interlock provider issues a certificate of compliance, then the ignition interlock division within the department must issue an interlock removal form authorizing the removal of the ignition interlock restrictions from the person's driver license and the removal of the ignition interlock device from the person's motor vehicle; provided, that the department's review of the person's records indicates the person has been in compliance during the ignition interlock usage period.

(E) The person may take the interlock removal form to a driver services center and apply for the removal of the ignition interlock requirements and reinstatement of the person's driver license or the issuance of a photo identification license. If the person meets all requirements for driver license reinstatement and pays all reinstatement fees, then the department must reinstate the driver license.

(F) If the ignition interlock provider notifies the person that the provider's records indicate the person has not complied with the conditions in subsection (c) or (d) during the required periods, then the person may either accept the extension of the ignition interlock requirement or request that the provider reconsider the finding of noncompliance and consider evidence of compliance provided by the person. If the provider confirms the finding of noncompliance, then the person may either accept the extension of the ignition interlock requirement or request an administrative compliance review by the department pursuant to subdivision (f)(2).

(2)

(A) A person who has had the person's ignition interlock usage period extended by a provider may request, in writing, an administrative compliance review by the department. Any evidence of compliance the person intends to present to the department must be included with the written request.

(B) The department shall review the request, including any evidence provided by the person and the records provided by the provider, within thirty (30) days of receiving the request. Following the department's review, the department shall notify the person and the provider of the department's determination in writing.

(C) If the department determines that the person was in compliance with subsections (c) and (d), then the department shall issue an interlock removal form.

(D) If the department determines that the person was not in compliance for the required periods, then the department shall inform the person of the determination in writing. The person may seek judicial review of the department's administrative compliance review determination as provided by § 4-5-322.

(3) When removing an ignition interlock device on or after July 1, 2016, a certified ignition interlock provider may in good faith rely on a person's interlock removal form that removal of the ignition interlock device is lawful.

SECTION 19. Tennessee Code Annotated, Section 55-10-425(g), is amended by deleting the subsection and substituting:

(g) This section applies to offenses committed on or after July 1, 2016, for which a person is required by a court order, a statutory requirement, in the court's discretion, or at the defendant's request, to operate only a motor vehicle that is equipped with a functioning ignition interlock device. To the extent not inconsistent with this section, the procedural provisions and geographic restrictions of §§ 55-10-409 and 55-10-417, the provider fees of § 55-10-418, and the electronic monitoring indigency fund and indigency provisions of § 55-10-419 must, if applicable, continue to apply. If any provision of those sections is in conflict with this section, this section must apply.

SECTION 20. Tennessee Code Annotated, Section 55-10-425, is amended by adding the following as a new subsection:

()

(1) If a person is unable to produce enough breath volume to operate an ignition interlock device, then the person may apply to the department for a waiver of the ignition interlock requirement.

(2) An application for a waiver must be on a form developed by the department, and the following documents must be submitted with the application:

(A) A statement by an ignition interlock provider, dated within sixty (60) days of the application, that an ignition interlock device cannot be adjusted to allow the person to use the device and register the person's breath alcohol level; and

(B) Statements from at least two (2) licensed physicians who have examined the person at an in-office appointment, dated within sixty (60) days of the application, indicating that the person has a medical condition that renders the person unable to provide a deep lung breath sample for analysis by an ignition interlock device.

(3) A person who fails to submit the documents required in subdivision () (2) at the time of application must be provided an additional thirty (30) days to submit the documents before the department may deny the waiver for the failure to submit the required documents.

(4) Within sixty (60) days after receipt of a waiver application and all required documents, the department shall review the application and the statements from the interlock provider and the physicians, and determine if a person is unable to operate an ignition interlock device and the failure to grant an interlock waiver would constitute a hardship based on the person's work or medical needs.

(5) Upon determining that a person is unable to operate an ignition interlock device and the failure to grant a waiver would constitute a hardship under subdivision () (4), the department may issue a waiver of the person's ignition interlock requirement. The waiver form issued by the department must specify the necessary times and places of permissible operation of a motor vehicle for the limited purposes of going to and from:

(A) Work at the person's regular place of employment;

(B) The office of the person's probation officer or other similar location for the sole purpose of attending a regularly scheduled meeting or other function with the probation officer by a route to be designated by the probation officer;

(C) A court-ordered alcohol safety program;

(D) A college or university in the case of a student enrolled full time in the college or university;

(E) A court-ordered outpatient alcohol and drug treatment program;

(F) The person's regular place of worship for regularly scheduled religious services conducted by a bona fide religious institution as defined in § 48-101-502(c); and

(G) Medical treatment of the person or an immediate family member or provision of care for the person or an immediate family member suffering from a serious illness.

(6)

(A) The time and geographic restrictions must be required for the entire period of license revocation, or the entire period an ignition interlock device was required based on the law at the time of the person's conviction.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

(B) A person who receives a waiver must carry the waiver form at all times while the person is operating a motor vehicle. A person who does not have the waiver form while operating a motor vehicle is considered to be driving on a revoked license.

(7) A person who has been granted a waiver form by the department must take the form, accompanied by a fee of sixty-five dollars (\$65.00), to a driver services center to apply for a restricted driver license.

(8) The denial of a waiver under this subsection () may be appealed in accordance with the rules and procedures for appeals through the department's driver improvement division. The department shall not issue a license without an ignition interlock restriction during the pendency of the appeal.

SECTION 21. Tennessee Code Annotated, Section 55-10-425, is amended by adding the following as a new subsection:

()

(1) A nonresident, as defined in § 55-50-102, who is required to install and maintain an ignition interlock device pursuant to this part may request a waiver developed by the department to be completed by the nonresident's home state. Upon acceptance of the completed waiver by the department, the ignition interlock installation requirement must be waived.

(2) If at any time the nonresident becomes a resident, as defined in § 55-50-102, of this state, then the resident must comply with the requirements of this section and the ignition interlock usage period will commence on the date of driver license issuance with proof that an ignition interlock device has been installed on the motor vehicle.

SECTION 22. Tennessee Code Annotated, Section 55-10-425, is amended by adding the following as a new subsection:

() A person required to have a functioning ignition interlock device pursuant to this part shall not operate a motor vehicle without a functioning ignition interlock device.

SECTION 23. Tennessee Code Annotated, Section 55-10-425, is amended by adding the following as a new subsection:

() A person who is subject to § 55-10-409 or this section may petition a court with proper jurisdiction for reinstatement of the person's driver license under this part regardless of the date when the person first became subject to those limitations. If the person is in compliance with all other requirements for reinstatement and has no other revocations or suspensions on the person's driving record, then the court may order reinstatement. Upon receipt of the court

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

order, if the person is in compliance with all other requirements for reinstatement and has no other revocations or suspensions on the person's driving record, then the department shall reinstate the license.

SECTION 24. Tennessee Code Annotated, Section 55-10-417(h)(2), is amended by adding the language "or required by statute" immediately after the language "court".

SECTION 25. Tennessee Code Annotated, Section 55-10-417(j), is amended by deleting the subsection and substituting instead the following:

(1) Except as provided in subdivision (j)(5), a person who violates subsection (f), (g), (h), or (i) commits a Class A misdemeanor.

(2) If the violation is the person's first violation, the person shall be sentenced to a minimum of forty-eight (48) hours of incarceration.

(3) If the violation is the person's second violation, the person shall be sentenced to a minimum of seventy-two (72) hours of incarceration.

(4) If the violation is the person's third or subsequent violation, the person shall be sentenced to a minimum of seven (7) consecutive days of incarceration.

(5) The penalty provisions of this subsection (j) shall not apply if the starting of a motor vehicle equipped with a functioning ignition interlock device, or the request to start a motor vehicle equipped with a functioning ignition interlock device, is done for the purpose of safety or mechanical repair of the device or the vehicle, and the person subject to the court order does not operate the vehicle.

(6) A person who is convicted for a violation of subdivision (h)(2) shall be required to complete an additional consecutive three-hundred-sixty-five-day ignition interlock usage period as provided in § 55-10-425, regardless of whether the person has already completed an ignition interlock usage period for the underlying violation of § 55-10-401.

SECTION 26. Tennessee Code Annotated, Title 55, Chapter 10, Part 4, is amended by adding the following as a new section:

(a) As used in this section:

(1) "In writing" means either by written electronic communication or by written physical communication;

(2) "Manufacturer" means an individual or entity responsible for the design, construction, or production of an ignition interlock device that has been approved by the ignition interlock program as meeting all of the minimum requirements set forth in the ignition interlock device program rules;

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(3) "Permanent revocation" means the indefinite revocation of an entity's or individual's license or ability to perform the actions authorized under this section;

(4) "Service center" means an entity designated by the manufacturer and approved by the ignition interlock program to provide services, including, but not limited to, installation, inspection, maintenance, and removal of an ignition interlock device within this state;

(5) "Subcontractor" means an individual or entity, other than a service center or technician, seeking to provide intermediary services for a manufacturer, including, but not limited to, opening and managing service centers and installing and monitoring ignition interlock devices;

(6) "Technician" means a person affiliated with a service center and engaged in the installation, inspection, maintenance, and removal of ignition interlock devices in this state; and

(7) "Temporary suspension" means the partial or full removal of an entity's or individual's license or ability to perform the actions authorized in this section, for a period of not more than one (1) year.

(b) A manufacturer, service center, technician, or subcontractor must be licensed by the department of safety in order to provide compliance-based ignition interlock services under this section.

(c)

(1) The department shall establish the requirements for each license category by rule pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. A manufacturer, service center, technician, or subcontractor must apply to the department for a license to operate in this state. The application must be on a form published by the department and must be accompanied by the fee set by the department under subdivision (c)(2).

(2) The department may impose an initial application fee not to exceed two hundred fifty dollars (\$250) and a renewal application fee not to exceed one hundred fifty dollars (\$150). Fees paid under this subsection (c) must only be used to fund the ignition interlock program within the department. Fee amounts must be established by rules promulgated pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(d) If an applicant meets the requirements for the license type for which the applicant applied, then the department must issue the applicant a license valid for one (1) year.

(e)

(1) If a licensee's renewal application is received by the department at least sixty (60) days prior to the expiration of the licensee's current license, then the licensee is authorized to continue to perform new installations of ignition interlock devices after the expiration date of the license so long as the department has not issued a denial of a renewal.

(2) If a licensee's renewal application is received by the department less than sixty (60) days prior to the expiration date of the licensee's current license, then the licensee is not authorized to perform new installations of ignition interlock devices after the expiration date of the license until a renewal has been issued by the department. In addition to the renewal fee, the licensee is subject to a late fee not to exceed one hundred dollars (\$100).

(3) The department must inform the licensee in writing of the date the renewal application was received by the department.

(f) A former licensee who has not held an active license for more than (1) year from the date of expiration of the previous license is not eligible for renewal and must apply as an initial applicant.

(g)

(1) The department may temporarily suspend or permanently revoke a license, either in whole or in part, of a licensee who violates this section or rules promulgated by the department. Temporary suspension or permanent revocation may include, but is not limited to:

(A) Ceasing the licensee's ability to perform new installations of ignition interlock devices; and

(B) Ceasing the licensee's ability to open any new service centers.

(2) If a license is permanently revoked, then the department may require the licensee to pay for the licensee's existing customers to transition to a new ignition interlock device, regardless of manufacturer.

(h)

(1) An individual or entity may seek administrative review of the department's denial of an initial application, denial of a renewal application, temporary suspension, or permanent revocation.

(2) In order to seek administrative review under this subsection (h), the individual or entity must submit the request for review in writing to the ignition interlock division. The request for review under this subsection (h) must include the individual's or entity's reasoning for the

request and supporting documentation. The ignition interlock division shall forward the request to the colonel of the highway patrol or the colonel's designee for review and a final determination.

(3) The colonel or the colonel's designee shall review the department's records regarding the individual or entity and the supporting documentation provided by the individual or entity, and render a determination in writing within thirty (30) business days of the division's receipt of the request.

(4) Following the determination, the individual or entity may seek judicial review of the decision of the colonel or the colonel's designee as provided by § 4-5-322.

(i) The department may promulgate rules pursuant to the Uniform Administrative Procedures Act in order to carry out this section; provided, that the rules shall not exceed the authority granted in this section. All licenses and licensees are subject to rules promulgated pursuant to this section.

SECTION 27. If any provision of this act or the application of any provision of this act to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 28. For the purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes:

(1) Sections 2 through 10 and Sections 19 through 24 take effect July 1, 2022, the public welfare requiring it, and apply to violations occurring on or after that date; and

(2) The remaining sections take effect January 1, 2023, the public welfare requiring it, and apply to violations occurring on or after that date.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Garrett moved that **Senate Bill No. 2434**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	75
Noes.....	16
Present and not voting.....	2

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Byrd, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Cochran, Crawford, Curcio, Darby, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, Miller, Moody, Moon, Ogles, Parkinson, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell,

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Sparks, Terry, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--75

Representatives voting no were: Calfee, Chism, Clemmons, Dixie, Hakeem, Hardaway, Harris, Hodges, Johnson G, McKenzie, Mitchell, Potts, Powell, Stewart, Thompson, Towns--16
Representatives present and not voting were: Beck, Cooper--2

A motion to reconsider was tabled.

***House Bill No. 2178** -- Tennessee Emergency Management Agency (TEMA) - As introduced, allows TEMA to use unmanned aircraft to capture images for the purposes of emergency management. - Amends TCA Section 39-13-902. by *Lamberth, *Gant, *Reedy, *Hardaway, *Littleton. (SB2428 by *Johnson, *Roberts, *Stevens)

On motion, House Bill No. 2178 was made to conform with **Senate Bill No. 2428**; the Senate Bill was substituted for the House Bill.

Rep. Reedy moved that Senate Bill No. 2428 be passed on third and final consideration.

Rep. Curcio moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Reedy moved that **Senate Bill No. 2428** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--95

A motion to reconsider was tabled.

House Bill No. 2907 -- Cumberland County - Subject to local approval, creates the Cumberland Plateau Water Authority. by *Sexton C, *Williams. (*SB2920 by *Bailey)

Rep. Williams moved that House Bill No. 2907 be passed on third and final consideration.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Rep. Crawford moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2907 by deleting all language after the caption and substituting the following:

WHEREAS, water is one of our most valuable resources; and

WHEREAS, it is necessary to ensure Cumberland Countians have an adequate supply of affordable water for future generations; and

WHEREAS, water and wastewater systems are vital to long-term growth and industrial development; and

WHEREAS, there is a need for a sustainable water source for Cumberland County and the region to meet future needs; and

WHEREAS, costs associated with creating a water source are significant; and

WHEREAS, the State of Tennessee encourages a regional approach to new water sources; and

WHEREAS, the Tennessee Department of Environment and Conservation intends to help fund strategic projects demonstrating a regional approach; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Creation of Authority.

A water and wastewater authority to be known and designated as the Cumberland Plateau Water Authority is hereby created and established for and on behalf of the citizens of Cumberland County, Tennessee.

SECTION 2. Purpose of Authority.

It is hereby declared that the Cumberland Plateau Water Authority created pursuant to this act shall be public and a governmental body and a political subdivision of the State of Tennessee. It is further declared that the planning, acquisition, operating, and financing of water and wastewater systems by said Authority is hereby declared to be a public and governmental purpose and a matter of public necessity.

SECTION 3. Definitions.

Whenever used in this act, unless a different meaning clearly appears in the context, the following terms, whether used in the singular or plural, shall be given the following respective interpretations:

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

(a) "Authority" means the Cumberland Plateau Water Authority created by this act;

(b) "Board" means the board of commissioners of the Authority;

(c) "Bonds" means bonds, interim certificates, or other debt obligations of the Authority issued pursuant to this act, including joint obligations of the Authority and the County and/or City;

(d) "City" means the City of Crossville, Tennessee;

(e) "County" means Cumberland County, Tennessee;

(f) "Districts" means any water utility within the region;

(g) "Governing Body" means the chief legislative body of the County, the City, or the Districts;

(h) "Municipality" means any county, incorporated city or town, utility district, or other municipal body or subdivision in this State, thereof now or hereafter authorized by law to be created;

(i) "Notes" means notes or interim certificates of the Authority issued pursuant to this act, including joint obligations of the Authority and the County and/or the City;

(j) "Person" means any individual, firm, partnership, association, corporation, or any combination thereof;

(k) "Refunding Bonds" means refunding bonds, issued pursuant to this act, including joint obligations of the Authority and the County and/or the City issued pursuant to this act and Tennessee Code Annotated, Title 9, Chapter 21, Parts 1, 9, and 10 to refund bonds of the Authority or bonds issued to refund bonds or notes of the County, the City, or the Districts, issued by the County, the City, or the Districts, the proceeds of which were used to construct, acquire, extend, improve, or equip all or a portion of a system acquired by the Authority or to refund bonds, the proceeds of which were used for such purposes;

(l) "State" means the State of Tennessee;

(m) "System" means a water or wastewater system used in the treatment and distribution of water or the collection and treatment of wastewater, including treatment facilities, transmission lines, distribution lines, collection lines, storage facilities, pumping, power, and other equipment, and their appurtenances, extensions, improvements, remodeling, additions, and other alterations thereof; and

(n) "Utility" means any public or quasi-public entity that provides water or wastewater services to the public.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

SECTION 4. Board of Commissioners – Qualification and Selection.

(a) The governing body of the Authority shall be a board of commissioners of seven (7) persons of good standing and reputation who shall have been residents of Cumberland County for more than one (1) year. No such person shall be an employee of any water or wastewater utility in Cumberland County.

(b) The board of commissioners shall consist of the following persons:

(1) One (1) representative who resides within the geographic boundaries of the Crab Orchard Utility District as the Crab Orchard Utility District exists on the date of the adoption of this act. This representative will be appointed by the Cumberland County Mayor and approved by a majority of the governing body, and will serve an initial term of four (4) years;

(2) One (1) representative who resides within the geographic boundaries of the South Cumberland Utility District as the South Cumberland Utility District exists on the date of the adoption of this act. This representative will be appointed by the Cumberland County Mayor and approved by a majority of the governing body, and will serve an initial term of three (3) years;

(3) One (1) representative who resides within the geographic boundaries of the West Cumberland Utility District as the West Cumberland Utility District exists on the date of the adoption of this act. This representative will be appointed by the Cumberland County Mayor and approved by a majority of the governing body, and will serve an initial term of two (2) years;

(4) One (1) representative who resides within the geographic boundaries of the Catoosa Utility District as the Catoosa Utility District existed on August 18, 2005, which is the date Catoosa Utility District consolidated with the City of Crossville. This representative will be appointed by the Cumberland County Mayor and approved by a majority of the governing body, and will serve an initial term of one (1) year; and

(5) Three (3) representatives who shall reside within the municipal boundaries of the City of Crossville, which are not included within the geographic boundaries of the Crab Orchard Utility District, South Cumberland Utility District, or West Cumberland Utility District. These three (3) representatives will be appointed by the Mayor of the City of Crossville and approved by a majority of the governing body. The Mayor of the City of Crossville will designate one (1) representative to serve an initial term of four (4) years, one (1) representative to serve an initial term of three (3) years, and one (1) representative to serve an initial term of two (2) years.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(c) Vacancies on the Authority's board shall be filled by the appointing authority for that commissioner office as set forth in Section 4(b). The appointee must reside within the same geographic boundaries as the appointee's predecessor as set forth in Section 4(b).

(d) No later than thirty (30) days prior to the expiration of the term of office of any incumbent commissioner or within thirty (30) days after the occurrence of a vacancy caused by non-residence, incapacity, resignation, or death of a commissioner, the appointing authority for that commissioner office will appoint an individual person to fill the vacancy.

(e) The term of office of each commissioner shall be four (4) years after the initial term of office to create staggered terms. Upon the expiration of a commissioner's term, the commissioner shall continue to hold office until a successor is appointed and qualified to serve. Any vacancy by reason of non-residence, incapacity, resignation, or death of a commissioner shall be filled for the unexpired term.

SECTION 5. Board of Commissioners – Officers and Meetings.

(a) A majority of the board constitutes a quorum, and the board shall act by a vote of a majority present at any meeting attended by a quorum.

(b) At its first meeting and at the first meeting of each calendar year thereafter, the board shall elect one (1) of its members to serve as Chairman, Vice-Chairman, and Secretary of the board. The board may establish other officer positions from time to time as deemed advisable by the board. The Secretary shall keep minutes of all regular and special meetings of the Authority.

(c) The board shall hold meetings at such times and places as the board may determine and all such meetings shall be public meetings under Tennessee Code Annotated, Title 8, Chapter 44, Part 1. Special meetings may be called and held upon such notice and in such manner as the board may determine. Except as otherwise expressly provided herein, the board shall establish its own rules of procedure for its board meetings.

(d) All powers of the Authority shall be vested in the board of commissioners, which shall exercise these powers by vote or resolution. Each commissioner shall have an equal vote on all matters.

(e) All board members shall serve without compensation, but such members may receive per diem payments for not more than twelve (12) meetings of the board of commissioners in any calendar year, at a rate not greater than three hundred dollars (\$300) per meeting, which the board may establish by resolution. The board members may be reimbursed from Authority funds for any actual, reasonable expenses that the board member may incur as an incident to holding office as a board member in accordance with the expense reimbursement policy adopted by the board for the Authority. The board

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

members may be eligible for medical insurance coverage and life insurance coverage to the same extent as the employees of the Authority.

SECTION 6. Powers of the Authority.

The Authority shall have the powers necessary to accomplish the purpose of this act (excluding the power to levy and collect taxes) including, but not limited to, the following:

(a) To have perpetual succession, to sue and be sued, and to adopt a corporate seal.

(b) To plan, establish, acquire, construct, equip, furnish, improve, repair, extend, maintain, and operate one (1) or more water and wastewater systems within or without Cumberland County, including all real and personal property, facilities, improvements and appurtenances, which the board of the Authority may deem necessary in connection therewith and regardless of whether or not such system shall then be in existence.

(c) To enter into agreements with the County, the City, the Districts, or any other municipality for the orderly transfer of all or any part of its water system or wastewater system provided that the governing body of the entity has irrevocably voted:

(1) To consolidate the system into the Authority or to transfer the system to the Authority; and

(2) To the extent permitted by law and contract, to assume, reimburse, or otherwise agree to pay outstanding obligations or liabilities of the County, the City, the Districts, or other municipalities incurred to acquire, extend, or equip the system.

(d) To enter into agreements with the County, the City, the Districts, or any other municipality to acquire by purchase, exchange, gift, devise, lease, the exercise of the power of eminent domain, or otherwise, any system or property related thereto of the County, the City, the Districts, or any other municipality and to own and operate such system separately or as a part of the Authority's system; or to enter into agreements with the County, the City, the Districts, or any other municipality providing for the operation by the Authority of the system, or any portion thereof, owned by the County, the City, the Districts, or any other municipality.

(e) The Authority will ensure that all employees acquired through contract with any utilities will not suffer any loss of wages and benefits, and all employees of the Authority will be members of the Tennessee Consolidated Retirement System (TCRS), or may continue in their current retirement program.

(f) To buy, sell, store, treat, and distribute water and to collect and treat wastewater for persons, for any county, municipality, or other political subdivision

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

of the State, the State, or any agency thereof, or the United States or any agency thereof, and to enter into contracts, agreements, or other arrangements with such persons or entities therewith.

(g) To make and enter into all contracts, trust instruments, agreements, and other instruments with the County, the City, the Districts, any other municipality, the State or any agency thereof, the United States or any agency thereof, or any person, whether public or private, bonds, notes, loan agreements with the Tennessee Local Development Authority and/or the Tennessee Department of Environment and Conservation and other forms of indebtedness as if it were a local government as such term is defined in applicable statutes governing grants and loans, to construct, equip, or extend the system, and to enter into contracts for the management and operation of a system or any facilities or service of the Authority for the treatment, processing, collection, distribution, storage, transfer, or disposal of water and wastewater.

(h) To incur debts, borrow money, issue bonds, and provide for the rights of the holders thereof.

(i) To apply for, accept and pledge donations, contributions, loans, guarantees, financial assistance, capital grants, or gifts from the County, the City, the Districts, any other municipality, the State or any agency thereof, the United States or any agency thereof, or any person, whether public or private, for or in aid of the purposes of the Authority, and to enter into agreements in connection therewith and to accept the same.

(j) To pledge all or any part of the revenues, receipts, donations, contributions, loans, guarantees, financial assistance, capital grants, or gifts of the Authority, to mortgage and pledge one (1) or more of its systems or any part or parts thereof, whether then owned or thereafter acquired, and to assign and pledge all or any part of its interest in and rights under contracts and other instruments relating thereto as security for the payments of the principal, premium, if any, and interest on bonds, refunding bonds, loan agreements, or notes issued by the Authority.

(k) To have control of its systems, facilities, and services with the right and duty to establish and charge rates, fees, and charges for the use of the Authority's systems, facilities and services and to collect revenues and receipts therefrom, not inconsistent with the rights of holders of its bonds, refunding bonds, and notes.

(l) To enter onto any lands, waters, and premises for the purpose of making surveys, soundings, and examinations in and for the furtherance of the purposes authorized by this act.

(m) To use any right-of-way, easement, or other similar property right necessary or convenient in connection with a system, held by the State or by any political subdivision thereof, provided the governing body of such political subdivision consents to such use.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(n) To employ and pay compensation to attorneys, accountants, engineers, architects, financial advisors, technical consultants, and independent contractors as the board shall deem necessary for the business of the Authority.

(o) To employ and pay compensation to such employees, including a general manager, who shall have such authority, duties, and responsibilities as the board deems necessary.

(p) To procure and enter into contracts for any type of insurance or indemnity against loss or damage to property from any cause, including loss of use and occupancy, against death or injury of any act of any member, officer, or employee of the Authority in the performance of the duties of the office or employment or any other insurable risk, including the payment of its bonds, refunding bonds or notes, as the board in its discretion may deem necessary.

(q) To enter into contracts with the County, the City, the State of Tennessee, or otherwise for a plan for medical, dental, vision, disability, death benefits, or other employee insurance benefits for the officers and employees of the Authority.

(r) To exercise all powers expressly given to it and necessarily implied therefrom, to make and execute contracts and all other instruments necessary or convenient to do any and all things for the exercise of its powers hereunder, and to establish and make rules and regulations not inconsistent with the provisions of this act, deemed expedient for the management of the Authority's affairs.

(s) To adopt a purchasing policy in accordance with the purchasing policy provisions for utility districts as set forth in Tennessee Code Annotated, Title 7, Chapter 82, Part 8.

(t) To make all necessary investments, in the discretion of the board, consistent with the powers of local governments to make such investments as provided by State law.

(u) To make all needful rules, regulations and bylaws for the management and the conduct of the affairs of the Authority.

SECTION 7. Exclusive Service Area.

(a) Upon the acquisition of the City's water system and wastewater system, the Authority shall have the exclusive right to provide water and wastewater service within the City's municipal boundaries at the time of the acquisition and as its municipal boundaries are expanded by annexation or any other means.

(b) Upon the acquisition of the Districts, the Authority shall have the exclusive right to provide water and wastewater service within the geographic boundaries of the Districts as they existed on the date of the acquisition.

(c) By resolution of the board, the board may designate any other areas in Cumberland County as the Authority's exclusive service area, including areas:

(1) That are outside of the geographic boundaries of any utility district located in Cumberland County;

(2) That have not consolidated with the Authority; or

(3) That do not have water or wastewater service from any other utility.

SECTION 8. General Manager.

(a) The board may appoint a general manager who shall be the chief executive and administrative officer of the Authority, and the Authority may enter into a contract with him or her establishing his or her salary, term of office, and duties.

(b) The general manager shall appoint the Authority's employees and shall fix their duties and compensation.

(c) The general manager shall appoint the Authority's auditor, legal counsel, engineer, other technical consultants and independent contractors as they are needed, subject to the approval of the board.

(d) The general manager shall submit such periodic reports to the board as it may direct.

(e) The general manager shall attend all meetings of the board.

(f) The general manager shall perform all other duties as directed by the board.

SECTION 9. Condemnation and Eminent Domain.

The Authority may condemn in its own name any land, rights in land, easements, and/or rights-of-way, which in the judgment of the board are necessary for carrying out the purposes for which the Authority is created. Such property or interest in such property may be so acquired whether or not the same is owned or held for public use by persons having the power of eminent domain, or otherwise held or used for public purposes; provided, however, such prior public use will not be interfered with by the use to which such property will be put by the Authority. Such power of condemnation may be exercised in the manner prescribed by any applicable statutory provisions now in force or hereafter enacted for the exercise of the power of eminent domain.

SECTION 10. Rates, Fees, and Charges.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(a) The board shall prescribe and collect reasonable rates, fees, and charges for the services, facilities, and commodities of any system and shall revise such rates, fees, and charges from time to time whenever necessary to ensure that any Authority's water and wastewater systems shall be and always remain self-supporting. The rates, fees, or charges prescribed shall be such as will always produce revenue at least sufficient:

(1) To provide for all expenses of operation and maintenance of the system, including reserves therefor;

(2) To pay when due all bonds, notes, and interest and premium thereon for the payment of which such revenues are or shall have been pledged, charged, or otherwise encumbered, including reserves therefor; and

(3) To provide for the extension or improvement of the system.

SECTION 11. Notes of the Authority.

(a) By resolution adopted by the board, the Authority may issue interest-bearing bond anticipation notes for all purposes for which bonds can be legally authorized and issued by the Authority. Such notes shall be secured by the proceeds from the sale of the bonds in anticipation of which the notes are issued and shall be secured by a lien upon the revenues of the Authority's system on a parity with the bonds in anticipation of which such notes are issued. In no event shall the amount of outstanding bond anticipation notes exceed the principal amount of the bonds to be issued by the Authority. The notes shall mature not later than two (2) years from their date of issuance and may be extended or renewed for not more than two (2) additional periods of two (2) years each by resolution of the board and the issuance of renewal or extension notes.

(b) Notes shall be sold at public or private sale for such price and in such manner as the board may direct. Notes may be sold in one (1) or more series, may bear such date or dates, may bear interest at such rate or rates (which may vary from time to time), may be payable at such time or times, may be in such denomination or denominations, may be in such form, either coupon or registered, may be payable at such place or places, may be executed in such manner, may be payable in such medium of payment, may be subject to such terms of redemption, without a premium or, for notes sold for not less than the par value thereof and accrued interest, without or with a premium, all as may be provided by resolution of the board.

(c) Notes shall be executed in the name of the Authority by the proper officials authorized to execute the same, together with the seal of the Authority attached thereto.

(d) The proceeds arising from the sale of such notes shall be disbursed as provided by the resolution authorizing the issuance of the notes. As used in this section, the term "bond anticipation notes" includes interim certificates or

other temporary obligations, which may be issued by the Authority to the purchaser of such notes upon the terms and conditions herein provided. When the bonds are issued and sold, a sufficient amount of the proceeds of the bonds shall be applied to the payment of the notes at their maturity or upon their earlier redemption as directed by the board by resolution.

(e) The Authority herein granted to issue "bond anticipation notes" also includes the issuance of "grant anticipation notes," to be secured by the grant in anticipation of which such notes are issued, with all provisions of this section being applicable to such grant anticipation notes.

SECTION 12. Bonds of the Authority.

(a) The Authority shall have the power to issue bonds from time to time to finance the construction, purchase, acquisition, extension, and improvement of one (1) or more systems. All bonds issued shall be payable solely out of the revenues and receipts derived from the system for which such bonds are issued or as may be designated in the proceedings under which the bonds shall be authorized to be issued. Such bonds may be issued in one (1) or more series, may be executed and delivered at any time and from time to time, may be in such form and denomination and of such terms and maturities, may be subject to redemption prior to maturity either with or without premium, may be in fully registered form, may bear such conversion privileges and be payable in such installments and at such time or times not exceeding forty (40) years from the date thereof, may be payable at such place or places whether within or without the State of Tennessee, may bear interest at such rate or rates payable at such time or times and at such place or places and evidenced in such manner, and may contain such provisions not inconsistent herewith, all as shall be provided in the proceedings whereunder the bonds shall be authorized to be issued.

(b) Bonds may be sold at public or private sale for such price and in such manner and from time to time as may be determined by the board to be most advantageous, and the Authority may pay any and all expenses, premiums, and commission, which its board may deem necessary or advantageous in connection with the issuance thereof.

(c) All bonds and the interest applicable thereto are hereby made and shall be construed to be negotiable instruments.

(d) Interim certificates or notes or other temporary obligations pending the issuance of revenue bonds shall be payable out of proceeds of bonds or other funds of the Authority available for such purpose.

(e) Proceeds of bonds may be used for the purpose of constructing, acquiring, reconstructing, improving, equipping, furnishing, bettering, or extending a system, including the payment of interest on the bonds during construction of any project for which bonds are issued and for two (2) years after the estimated date of completion, the payment of engineering, fiscal, architectural, bond insurance, and legal expenses incurred in connection

therewith and the issuance of bonds, and the establishment of a reasonable reserve fund for the payment of principal of and interest on such bonds if a deficiency occurs in the revenues and receipts available for such payment.

SECTION 13. Refunding Bonds of the Authority.

(a) Any bonds at any time outstanding may at any time and from time to time be funded by the issuance of refunding bonds in such amount as the board may deem necessary, but not exceeding the sum of the following:

(1) The principal amount of the bonds being refinanced;

(2) Applicable redemption premiums thereon;

(3) Unpaid interest on such bonds to the date of delivery or exchange of the refunding bonds;

(4) If the proceeds from the sale of the refunding bonds are to be deposited in trust as hereinafter provided, interest to accrue on such obligations from the date of delivery to the first or any subsequent available redemption date or dates elected, in its discretion, by the board, or to the date or dates of maturity, whichever shall be determined by the board to be the most advantageous or necessary to the Authority;

(5) A reasonable reserve for the payment of principal of and interest on such bonds and/or a renewal and replacement reserve;

(6) If the project to be constructed from the proceeds of the obligations being refinanced has not been completed, an amount sufficient to meet the interest charges on the refunding bonds during the construction of such project and for two (2) years after the estimated date of completion (but only to the extent that interest charges have not been capitalized from the proceeds of the obligations being refinanced); and

(7) Expenses, premiums, and commissions of the Authority, including bond discounts deemed by the board to be necessary for the issuance of the refunding bonds. A determination by the board that any refinancing is advantageous or necessary to the Authority or that any of the amounts provided in the preceding sentence shall be included in such refinancing, or that any of the obligations to be refinanced shall be called for redemption on the first or any subsequent available redemption date or permitted to remain outstanding until their respective dates of maturity, shall be conclusive.

(b) Any such refunding may be affected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by the exchange of the refunding bonds for the bonds to be refunded thereby with the consent of the holders of the bonds to be refunded, or by sale of the refunding bonds and the application of the proceeds thereof to the payment of the bonds

refunded thereby, and regardless of whether or not the bonds to be refunded were issued in connection with the same projects or separate projects, and regardless of whether or not the bonds proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

(c) At the time of delivery of the refunding bonds, the bonds to be refunded will not be retired or a valid and timely notice of redemption of the outstanding bonds is not given in accordance with the resolution, indenture, or other instrument governing the redemption of the outstanding bonds, then, prior to the issuance of the refunding bonds, the board shall cause to be given adequate notice of its intention to issue the refunding bonds. The notice shall be given either by mail to the owners of all the outstanding bonds to be refunded at their addressees shown on the bond registration records for the outstanding bonds, or given by publication, or by such other means that may be deemed sufficient pursuant to the laws of this State. The notice shall set forth the estimated date of delivery and refunding of the bonds, and identify the bonds, or the individual maturities thereof, proposed to be refunded; provided, that if portions of individual maturities are proposed to be refunded, the notice shall identify the maturities subject to partial refunding and the aggregate principal amount to be refunded within each maturity. If the issuance of the refunding bonds does not occur as provided in the notice, the governing body shall cause notice thereof to be given as provided above. Except as otherwise set forth in this section, the notice required pursuant to this section shall be given whether or not any of the bonds to be refunded are to be called for redemption.

(d) If any of the obligations to be refunded are to be called for redemption, notice of redemption shall be given in a manner required by the proceedings authorizing such outstanding obligations.

(e) The principal proceeds from the sale of any refunding bonds shall be applied only as follows, either:

(1) To the immediate payment and retirement of the bonds being refunded; or

(2) To the extent not required for immediate payment of the bonds being refunded, such proceeds shall be deposited in trust to provide for the payment and retirement of the bonds being refunded and to pay any expenses incurred in connection with such refunding, but provisions may be made for the pledging and disposition of any surplus, including, without limitation, provisions for the pledging of any such surplus to the payment of the principal of, premium, if any, and interest or any issue or series of refunding bonds. Money in any such trust fund may be invested in the discretion of the board.

(f) Nothing herein shall be construed as a limitation on the duration of any deposit in trust for the retirement of obligations being refunded, but which shall not have matured and which shall not be presently redeemable or, if presently redeemable, shall not have been called for redemption.

SECTION 14. Security for Payment of Bonds and Notes.

(a) The principal of, premium, if any, and interest on any bonds, refunding bonds, and notes may be secured by a pledge of revenues and receipts of the Authority's system. The proceedings under which the bonds, refunding bonds, or notes are authorized to be issued may contain any agreements, provisions, and covenants respecting the maintenance of such system or other facilities covered thereby, the fixing and collection of rates, fees, or charges with respect to any system or portions thereof covered by such proceedings, the creation and maintenance of special funds from such revenues and from the proceeds of such bonds, refunding bonds, and notes and the rights and remedies available in the event of default, all as the board shall deem advisable and not in conflict with the provisions of this act. To the extent provided in the proceedings authorizing any bonds, refunding bonds, or notes, each pledge and agreement made for the benefit of security of any of the bonds, refunding bonds, or notes shall continue in effect until the principal of and interest on the bonds, refunding bonds, or notes for the benefit of which the same were made shall have been fully paid or adequate provision for the payment thereof shall have been made by the Authority. In the event of a default in such payment or in any agreements of the Authority made as part of the proceedings under which the bonds, refunding bonds, or notes were issued, such payment or agreement may be enforced by suit, mandamus, or the appointment of a receiver in equity, or the proceedings under which the bonds, refunding bonds, or notes are issued.

(b) The board may designate the appropriate officials to execute all documents necessary to guarantee or in any other manner to secure the payment of the bonds or notes of the Authority; provided, however, the approval of the governing body of the County or City to such guarantee or security shall have been obtained before the execution of such documents. Provided, further, that prior to any meeting where such authorization will be considered by the governing body of the County or City, the governing body shall cause reasonable public notice to be published describing the matter to be considered and containing an estimate of the dollar amount of any contingent liability by the County or City as such authorization is given.

(c) Bonds, notes, or refunding bonds may constitute a joint obligation of the Authority and the County or City. Any such bond, note, or refunding bond upon which the County or City is jointly obligated with the Authority may be secured by the full faith and credit and unlimited ad valorem taxing power of the County or City. Bonds, notes, or refunding bonds issued as a joint obligation of the Authority and the County or City shall be issued in the form and manner set forth in Tennessee Code Annotated, Title 9, Chapter 21, Parts 1, 2, and 9, where applicable, and in the event of a conflict between this act and Tennessee Code Annotated, Title 9, Chapter 21, Parts 1, 2, and 9, then the provisions of Tennessee Code Annotated, Title 9, Chapter 21, Parts 1, 2, and 9 shall prevail. Notes issued as a joint obligation of the Authority and the County or City shall be issued in the form and manner set forth in Tennessee Code Annotated, Title 9,

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Chapter 21, Parts 1, 4, and 5, where applicable, and in the event of a conflict between this act and Tennessee Code Annotated, Title 9, Chapter 21, Parts 1, 4, and 5, then Tennessee Code Annotated, Title 9, Chapter 21, Parts 1, 4, and 5 shall prevail.

(d) Any bond, note, or refunding bond issued under this act may be secured by a mortgage or deed of trust covering any or all part of the property, real or personal, of the Authority. Any pledge, of lien, on revenues, fees, rents, tolls, or other charges received or receivable by any local government to secure the payment of any bonds, notes, or refunding bonds issued pursuant to the act and the interest thereon, shall be valid and binding from the time that the pledge or lien is created and granted and shall inure to the benefit of the holder or holders of any such bonds, notes, or refunding bonds until payment in full of the principal and premium and interest thereon. Neither the resolution nor any other instrument granting, creating, or giving notice of the pledge of a lien or other such security interest, need be filed or recorded to preserve or protect the validity or priority of such pledge or lien.

SECTION 15. Exemption from Taxation and State Regulation.

(a) The Authority, its properties, and the income and revenues therefrom shall be exempt from all State, County, and municipal taxation. All bonds, notes, and refunding bonds issued by the Authority and the income therefrom shall be exempt from all State, County, and municipal taxation, except inheritance, transfer, and estate taxes, or except as otherwise provided by the laws of this state.

(b) The Authority is subject to regulation by the Water and Wastewater Financing Board under Tennessee Code Annotated, Section 68-221-1008. The Authority is subject to regulation by the Department of Environment and Conservation as a public water supply and public sewerage system.

SECTION 16. Liability and Indebtedness of Political Subdivisions.

(a) Neither the State, any county, or any municipality other than the Authority shall, except as may otherwise be authorized by the board of the Authority and the governing body of the County or City, in any event be liable for the payment of the principal of, premium, if any, or interest on any bonds, notes, or refunding bonds of the Authority or for the performance of any pledge, obligation, or agreement of any kind whatsoever that may be undertaken by the Authority, and none of the bonds, notes, or refunding bonds of the Authority or any of its agreements or obligations shall be construed to constitute an indebtedness of the State, any county, or any municipality within the meaning of any constitutional or statutory provision whatsoever.

(b) Bonds, notes, or refunding bonds of the Authority shall not constitute a debt or a pledge of the faith and credit of the State, any county, or any municipality, except as may otherwise be authorized by the governing body of the County or City, and the holders or owners of such bonds shall have no right

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

to have taxes levied by any county, municipality, the State, or any other taxing authority within the State for the payment of principal of, premium, if any, and interest on such bonds, but shall be payable solely from revenues and monies pledged for their payment.

(c) Except as may otherwise be authorized by the governing body of the County or City, all such bonds shall contain on the face thereof a statement to the effect that the bonds, refunding bonds, or notes are not a debt of the State, any county, any municipality, or any other taxing authority within the State, but are payable solely from revenues and monies pledged to the payment thereof.

SECTION 17. Disposition of Funds.

No part of the net earnings of the Authority remaining after payment of its expenses shall inure to the benefit of any persons except that, at such times as no bonds, notes, or refunding bonds of the Authority are outstanding and unpaid and adequate provision has been made for the full payment of all liabilities, obligations, and contracts of the Authority, and the Authority shall have, by operation of law, been terminated, any assets of the Authority, to the extent not necessary for such purposes, shall be paid to the County and the City in equal proportions. To the extent allowed by this act, nothing herein contained shall prevent the board from transferring its properties in accordance with the terms of any contract, agreement, or covenant entered into or undertaken by the Authority.

SECTION 18. Budget and Annual Audit.

(a) The board shall annually establish and adopt a budget for the Authority.

(b) The board shall cause to be prepared each fiscal year an annual audit of the books and records of the Authority. The Comptroller of the Treasury, through the Department of Audit, is responsible for determining that such audits are prepared in accordance with generally accepted governmental auditing standards. A copy of such annual audit shall be filed with the office of the County Mayor of Cumberland County and the Mayor of the City of Crossville.

SECTION 19. Powers of the Districts.

(a) The Districts may take all actions hereunder by resolution of its governing body. The Districts shall have all powers necessary in order to further the purposes of this act, including without limitation, the power to consolidate with the Authority, the power to contract with the Authority, and the power to sell, lease, dedicate, donate, or otherwise convey to the Authority any of its interests in any existing water and wastewater system, franchises, assets, liabilities, or other related property, whether real or personal, or mixed, tangible or intangible, and whether or not subject to mortgages, liens, charges, or other encumbrances, or grant easements, licenses, or other rights or privileges therein to the Authority.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

(b) The Districts may enter into agreements with the Authority for the orderly transfer of all or any part of its system and to enter into agreement for the Authority to assume, pay, or refund bonds, refunding bonds, and notes issued by the districts or loan agreements entered into by the districts to acquire, construct, or equip all or any part of a system.

(c) The Districts are authorized to advance, donate, or lend money to the Authority and to provide that funds available to it for a system shall be paid to the Authority.

(d) The Districts shall have the same right to enter into any agreement with the Authority that the board deems necessary to carry out the purposes of this act, as the Districts have to enter into similar agreements with water and wastewater treatment authorities as provided by Tennessee Code Annotated, Title 68, Chapter 221, Part 6, and as provided by the Utility District Law, compiled in Tennessee Code Annotated, Title 7, Chapter 82.

SECTION 20. Powers of the County.

(a) The County may take all actions hereunder by resolution of its governing body. The County shall have all powers necessary to further the purposes of this act, including, without limitation, the power to sell, lease, dedicate, donate, or otherwise convey to the Authority any of its interests in any existing water and wastewater system, franchises, assets, liabilities, or other related property, whether real or personal, or mixed, tangible or intangible, and whether or not subject to mortgages, liens, charges, or other encumbrances or grant easements, licenses, or other rights or privileges therein to the Authority, and to contract with the Authority.

(b) The County, through its governing body, is authorized to issue joint obligations with the Authority and to pledge its full faith and credit and unlimited taxing power to such bonds, notes, or refunding bonds and to guarantee the bonds, notes or refunding bonds as set forth in Section 14.

(c) The County may enter into agreements with the Authority for the orderly transfer of all or any part of its system and to enter into agreements with the Authority for the Authority to assume, to pay, or to refund bonds, refunding bonds, and notes issued by the County or loan agreements entered into by the County to acquire, construct, or equip all or any part of a system.

SECTION 21. Powers of the City.

(a) The City may take all actions hereunder by resolution of its governing body. The City shall have all powers necessary to further the purposes of this act, including, without limitation, the power to sell, lease, dedicate, donate, or otherwise convey to the Authority any of its interests in any existing water and wastewater system, franchises, assets, liabilities, or other related property, whether real or personal, or mixed, tangible or intangible, and whether or not subject to mortgages, liens, charges, or other encumbrances or grant

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

easements, licenses, or other rights or privileges therein to the Authority and to contract with the Authority.

(b) The City, through its governing body, is authorized to issue joint obligations with the Authority and to pledge its full faith and credit and unlimited taxing power to such bonds, notes, or refunding bonds and to guarantee the bonds, notes, or refunding bonds as set forth in Section 14.

(c) The City may enter into agreements with the Authority for the orderly transfer of all or any part of its system and to enter into agreements with the Authority for the Authority to assume, to pay, or to refund bonds, refunding bonds, and notes issued by the County or loan agreements entered into by the City to acquire, construct, or equip all or any part of a system.

SECTION 22. Powers not restricted.

Neither this act nor anything herein contained shall be construed as a restriction or a limitation upon any powers that a county, city, or utility district might otherwise have under any laws of this State, but shall be construed as cumulative of and supplemental to any such powers. No proceeding, notice, or approval shall be required with respect to the issuance of any bonds, refunding bonds, or notes of the Authority or any instrument as security therefor except as provided in this act, any law to the contrary notwithstanding; provided, however, nothing herein shall be construed to deprive the State of Tennessee and its political subdivisions of their respective police powers, or to impair any power of any official or agency of said State and its political subdivisions, which may be otherwise provided by law.

SECTION 23. Agreements with the Authority.

(a) The Authority is hereby authorized, whenever the same shall be found desirable by its board, to enter into contracts, agreements, or other arrangements with any municipality regarding a system, any facility, or any service of the Authority. Any such contract or agreement may extend for any period not exceeding forty (40) years from the date thereof.

(b) Any municipality seeking to enter into such agreement with the Authority shall have the same rights and liabilities as it would otherwise have in entering into a similar agreement with a water and wastewater treatment authority as provided by Tennessee Code Annotated, Title 68, Chapter 221, Part 6, and as provided by the Utility District Law, compiled in Tennessee Code Annotated, Title 7, Chapter 82.

SECTION 24. Liberal Construction.

The provisions of this act shall be liberally construed to affect the purposes thereof, and insofar as the provisions of this act may be inconsistent with the provisions of any other law, the provisions of this act shall be controlling.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

SECTION 25. Severability.

If any provision of this act or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect any other provision or application of the act, which can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 26. Local Approval.

This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Cumberland County pursuant to a resolution adopted by such body. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 27. Effective Date.

For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 26.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Williams moved that **House Bill No. 2907**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, Miller, Mitchell, Moody, Moon, Ogles, Potts, Powell, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--91

A motion to reconsider was tabled.

***House Bill No. 757** -- Education, Higher - As introduced, changes, from September 15 to October 1 of each year, the date by which a public institution of higher education operating a hearing center is required to report certain information to the Tennessee higher education commission and the education committees of the house of representatives and senate. - Amends TCA Title 4 and Title 49. by *White. (SB918 by *Bell)

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Rep. White moved that **House Bill No. 757** be reset for the Regular Calendar on April 18, 2022, which motion prevailed.

House Bill No. 204 -- Human Rights - As introduced, enacts the "CROWN Act: Create a Respectful and Open World for Natural Hair" to define race and protective hairstyle for purposes of the Tennessee Human Rights Act. - Amends TCA Title 4, Chapter 21; Title 8; Title 49 and Title 50. by *Camper, *Hardaway, *Dixie, *Love, *Hakeem, *McKenzie, *Towns, *Miller, *Harris, *Clemmons, *Thompson. (*SB136 by *Akbari, *Gilmore, *Campbell, *Robinson)

On motion, House Bill No. 204 was made to conform with **Senate Bill No. 136**; the Senate Bill was substituted for the House Bill.

Rep. Camper moved that Senate Bill No. 136 be passed on third and final consideration.

Rep. Vaughan moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 136 by deleting all language after the enacting clause and substituting:

SECTION 1. This act is known and may be cited as the "CROWN Act: Create a Respectful and Open World for Natural Hair."

SECTION 2. Tennessee Code Annotated, Title 50, Chapter 1, Part 3, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Commissioner" means the commissioner of labor and workforce development or the commissioner's designee;

(2) "Employee" means an individual who performs services for an employer for valuable consideration, and does not include a self-employed independent contractor; and

(3) "Employer" means an individual or entity that employs one (1) or more employees and includes this state and political subdivisions of this state.

(b) An employer shall not enforce a policy that does not permit an employee to wear the employee's hair in braids, locs, twists, or another manner that is part of the cultural identification of the employee's ethnic group or that is a physical characteristic of the employee's ethnic group.

(c)

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(1) A policy in violation of subsection (b) is deemed discriminatory, void as against the public policy of this state, and punishable only as provided in this section. A violation of this section does not form the basis for a violation of another provision of law.

(2) This section does not create a private cause of action.

(d) An employer who violates subsection (b) is subject to a penalty as determined by the commissioner by rule. The commissioner shall promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, that:

(1) Specify the amount of the penalty per violation;

(2) Provide an employer with an opportunity to request a contested case hearing; and

(3) Provide a warning to an employer in lieu of a penalty if the violation is the employer's first violation of subsection (b) and the employer fully complies with all remedial action requested by the commissioner.

(e) Moneys collected pursuant to this section must be used for enforcement of this section, with remaining moneys used to educate employers in this state about this section.

(f) This section does not apply to:

(1) A public safety employee if it would prevent the employee from performing essential functions of the employee's job requirements during the course of employment; and

(2) A policy that an employer must adopt to comply with federal or state laws, rules, or regulations relative to health or safety.

SECTION 3. The commissioner of labor and workforce development may promulgate rules to effectuate this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 4. For rule promulgating purposes, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2023, the public welfare requiring it, and applies to prohibited conduct occurring on or after that date.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Zachary moved that the House consider House Amendment No. 2 pursuant to **Rule No. 60 (B)**, which motion prevailed by the following vote:

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Ayes 89
Noes..... 0
Present and not voting..... 3

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Love, Lynn, Mannis, Marsh, Martin, Miller, Mitchell, Moon, Parkinson, Potts, Powell, Ragan, Ramsey, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--89

Representatives present and not voting were: Gant, Moody, Ogles--3

Rep. Zachary moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 136 by deleting all language after the enacting clause and substituting:

SECTION 1. This act is known and may be cited as the "CROWN Act: Create a Respectful and Open World for Natural Hair."

SECTION 2. Tennessee Code Annotated, Title 50, Chapter 1, Part 3, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Commissioner" means the commissioner of labor and workforce development or the commissioner's designee;

(2) "Employee" means an individual who performs services for an employer for valuable consideration, and does not include a self-employed independent contractor; and

(3) "Employer" means an individual or entity that employs one (1) or more employees and includes this state and political subdivisions of this state.

(b) An employer shall not adopt a policy that does not permit an employee to wear the employee's hair in braids, locs, twists, or another manner that is part of the cultural identification of the employee's ethnic group or that is a physical characteristic of the employee's ethnic group.

(c)

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

(1) A policy in violation of subsection (b) is deemed discriminatory and void as against the public policy of this state. A violation of this section does not form the basis for a violation of another provision of law.

(2) This section does not create a private cause of action.

(d) An employee may file a complaint for a violation of this section with the commissioner. The commissioner shall provide a warning to an employer in violation of this section.

(e) This section does not apply to:

(1) A public safety employee if it would prevent the employee from performing essential functions of the employee's job requirements during the course of employment; or

(2) A policy that an employer must adopt to adhere to common industry safety standards, to maintain reasonable safety measures, or to comply with federal or state laws, rules, or regulations relative to health or safety.

SECTION 3. This act takes effect on July 1, 2022, the public welfare requiring it.

On motion, House Amendment No. 2 was adopted by the following vote:

Ayes	88
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Love, Lynn, Mannis, Marsh, Martin, Miller, Mitchell, Moon, Parkinson, Potts, Powell, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--88

Representatives present and not voting were: Gant, Moody, Ogles--3

Rep. Camper moved that **Senate Bill No. 136** be reset for the Regular Calendar on April 18, 2022, which motion prevailed.

***House Bill No. 2875** -- Jails, Local Lock-ups - As introduced, prohibits a corrections official from using restraints on a prisoner or detainee known to be pregnant, including during labor, transport to a medical facility, delivery, and postpartum, unless the corrections official

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

makes an individualized determination that the prisoner or detainee presents an extraordinary circumstance; establishes other restrictions on the manner in which a pregnant prisoner or detainee may be restrained under certain circumstances. - Amends TCA Title 41. by *Camper, *Chism, *Hardaway, *Dixie, *Love, *Ogles, *Hakeem, *McKenzie, *Towns, *Johnson G, *Miller, *Jernigan, *Clemmons, *Harris. (SB2769 by *Akbari, *Bowling)

Rep. Camper moved that House Bill No. 2875 be passed on third and final consideration.

Rep. Keisling moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2875 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Title 41, Chapter 51, is amended by adding the following new part:

41-51-201. As used in this part:

(1) "Correctional environment" means a physical location, whether a facility or transport vehicle, in which an inmate must be under custody and control of a correctional officer in accordance with recognized correctional standards;

(2) "Correctional institution" means a facility under the authority of this state, a county, or a municipal government that has the power to detain or restrain, or both, a person under the laws of this state;

(3) "Extraordinary circumstance" means that the inmate presents a substantial flight risk or some other extraordinary medical, mental health, or security circumstance;

(4) "Inmate" means a person incarcerated or detained in a correctional institution who is accused of, convicted of, sentenced for, or adjudicated delinquent for violations of criminal law or the terms and conditions of parole, probation, pretrial release, or a diversionary program;

(5) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix; and

(6) "Restraints" means a physical or mechanical device used to control the movement of an inmate's body, limbs, or both.

41-51-202.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

(a) Except as provided in subsection (b), beginning on the date on which a pregnancy is known to a law enforcement agency and confirmed by a healthcare professional, an inmate in the custody of a correctional institution must not be placed in restraints.

(b) The prohibition under subsection (a) does not apply if:

(1) An inmate is restrained solely by handcuffs in front of her body during internal escort or at any time outside of the incarceration facility;

(2) An appropriate corrections officer makes a determination that the inmate:

(A) Is an immediate and credible flight risk that cannot reasonably be prevented by other means;

(B) Poses an immediate and serious threat of harm to herself, the unborn child, or others that cannot reasonably be prevented by other means; or

(C) The custody or classification level of the inmate requires the use of restraints; or

(3) A healthcare professional responsible for the health and safety of the inmate determines that the use of restraints is appropriate for the medical safety of the inmate or the unborn child.

(c) If restraints are used pursuant to an exception under subsection (b), only the least restrictive restraints necessary to prevent to harm to herself, the unborn child, others, or risk of escape may be used.

(d) The exceptions under subsection (b) must not be applied:

(1) To place restraints around the ankles, legs, or waist of an inmate who is in labor or delivery;

(2) To restrain an inmate's hands behind her back; or

(3) To attach an inmate to another inmate.

(e) If restraints are used on a pregnant inmate in extraordinary circumstances pursuant to subsection (b) that are outside of necessary restrained movement in a correctional environment, the corrections official shall, within seventy-two (72) hours, document in writing the extraordinary circumstances that dictated the use of the restraints to ensure the safety and security of the inmate, the unborn child, the staff of the correctional institution or medical facility, other prisoners or detainees, or the public.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

(f) The commissioner of correction and the sheriffs, superintendents, and jail administrators of each local correctional facility shall require annual training of staff members who transport or supervise female inmates on the requirements of this part.

(g) All inmates potentially affected by this part must be advised in a separate, clear, and concise writing of the requirements of this part, and of § 41-21-227(h), upon admission to the correctional institution and when known to be pregnant.

(h) Notwithstanding subsection (b), upon the request of a healthcare professional who is responsible for the health and safety of an inmate, a corrections officer must refrain from using restraints on the inmate or must remove restraints used on the inmate.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Camper moved that **House Bill No. 2875** be reset for the Regular Calendar on April 18, 2022, which motion prevailed.

House Bill No. 2840 -- TennCare - As introduced, requires the bureau to, in consultation with and approval of the commissioner of finance and administration, develop and implement a program substantially similar to the federal centers for medicare and medicaid services' Emergency Triage, Treat, and Transport model for emergency services. - Amends TCA Title 71. by *Camper, *Lamar, *Gillespie, *Parkinson, *Thompson, *Gant, *Johnson C, *White, *Moody, *Hardaway, *Dixie, *Love, *Hakeem, *Ogles, *McKenzie, *Towns, *Miller, *Clemmons, *Jernigan, *Reedy, *Terry. (*SB2319 by *Rose)

On motion, House Bill No. 2840 was made to conform with **Senate Bill No. 2319**; the Senate Bill was substituted for the House Bill.

Rep. Camper moved that **Senate Bill No. 2319** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry,

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--96

A motion to reconsider was tabled.

***House Bill No. 1665** -- Estates - As introduced, authorizes a probate court or chancery court to appoint a public receiver to determine and submit a recommendation to the court on the need for a temporary or permanent receiver over an estate; authorizes the court, upon a hearing on the report, to appoint a receiver with such powers as are necessary, consistent with those extended to receivers in absentees' estates. - Amends TCA Title 30. by *Hazlewood, *Vital, *Mannis. (SB1680 by *Gardenhire)

On motion, House Bill No. 1665 was made to conform with **Senate Bill No. 1680**; the Senate Bill was substituted for the House Bill.

Rep. Hazlewood moved that **Senate Bill No. 1680** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--95

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1638** -- Historical Commission - As introduced, requires the Tennessee historical commission to file quarterly reports with the governor, speaker of the senate, and speaker of the house of representatives concerning the status of waivers filed with the commission affecting the state capitol complex. - Amends TCA Title 3; Title 4 and Title 9. by *Sexton C, *Todd, *Reedy, *Howell, *Moody. (SB2349 by *McNally, *Yager, *Bowling)

Senate Amendment No. 1

AMEND House Bill No. 1638 by deleting all language after the enacting clause and substituting instead the following:

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

SECTION 1. Tennessee Code Annotated, Section 4-8-101(a)(2), is amended by deleting the language "department of general services, through the commissioner acting with approval of the speaker of the senate and the speaker of the house of representatives, to" and substituting instead the language "speaker of the senate and the speaker of the house of representatives to".

SECTION 2. Tennessee Code Annotated, Section 4-8-101(a)(2), is further amended by adding the language "the portion of the ground floor of the state capitol occupied by the senate clerk's office," after the language "spaces therein,".

SECTION 3. Tennessee Code Annotated, Section 4-8-101(a), is amended by adding the following new subdivision:

(3)

(A) Except as provided in subdivision (a)(3)(B), the department of general services shall provide routine maintenance on and to the second floor of the state capitol and the portion of the ground floor of the state capitol occupied by the senate clerk's office only after providing notice of not less than twenty-four (24) hours prior to beginning routine maintenance to the offices of the speaker of the senate and the speaker of the house of representatives.

(B) If emergency maintenance is required by the department of general services on or to the second floor of the state capitol or the portion of the ground floor of the state capitol occupied by the senate clerk's office, the department of general services shall respond to the emergency and provide notice to the offices of the speaker of the senate and the speaker of the house of representatives as soon as practicable upon completion of the emergency maintenance.

SECTION 4. Tennessee Code Annotated, Section 4-3-102, is amended by adding the following new language to the end of the section:

For purposes of this section, the second floor of the state capitol and the portion of the ground floor of the state capitol occupied by the senate clerk's office is considered a state building occupied predominantly by the legislative branch and is controlled as described by § 4-8-101(a)(2) and (3).

SECTION 5. Tennessee Code Annotated, Section 4-8-101(a)(2), is amended by adding the following language at the end of the subdivision:

The department of general services shall report to the speakers of the house of representatives and the senate no later than January 15 of each year the facility management costs, including annual maintenance and upkeep costs, associated with the second floor of the state capitol and the portion of the ground floor of the state capitol occupied by the senate clerk's office for the prior year.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

SECTION 6. This act does not remove or alter the requirement that the general assembly pay rent into the state office buildings and support facilities revolving fund for the use of the second floor of the capitol building and the portion of the ground floor of the state capitol occupied by the senate clerk's office.

SECTION 7. This act takes effect upon becoming a law, the public welfare requiring it.

Rep. Todd moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1638**, which motion prevailed by the following vote:

Ayes 74
Noes..... 18

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Byrd, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Cochran, Cooper, Crawford, Darby, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulse, Hurt, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Mannis, Marsh, Martin, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--74

Representatives voting no were: Beck, Camper, Clemmons, Dixie, Hakeem, Hardaway, Harris, Hodges, Johnson G, Love, McKenzie, Miller, Mitchell, Parkinson, Potts, Powell, Thompson, Towns--18

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the motion to concur in Senate Amendment No. 1 to **House Bill No. 1638** and have this statement entered in the Journal: Rep. Stewart.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1871** -- Public Health - As introduced, prohibits governmental entities, local education agencies, schools, and private businesses from adopting or enforcing laws, rules, or practices that fail to recognize natural immunity as providing a level of immune protection that is at least as protective as a COVID-19 vaccine or treat individuals with natural immunity differently than individuals who have received the COVID-19 vaccine. - Amends TCA Title 4; Title 7; Title 8; Title 14; Title 50; Title 63 and Title 68. by *Hulse, *Lynn, *Sherrell, *Weaver, *Zachary, *Russell, *Williams, *Boyd, *Sexton J, *Rudd, *Lafferty, *Reedy, *Cepicky, *Carr, *Ragan. (SB1982 by *Hensley, *Crowe, *Niceley, *Bowling, *Stevens)

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Senate Amendment No. 2

AMEND House Bill No. 1871 by deleting the amendatory language of SECTION 1 and substituting:

() "Natural immunity" means an acquired specific immune system response to the SARS-CoV-2 virus that is:

(A) Acquired naturally as a result of an individual's prior infection with SARS-CoV-2 virus; and

(B) Verified by:

(i) A letter from a licensed physician; or

(ii) Documentation of a laboratory test showing antibody, memory cell, or T cell immunity;

Senate Amendment No. 1

AMEND House Bill No. 1871 by deleting "Natural immunity" in SECTION 1 and substituting "Acquired immunity".

AND FURTHER AMEND by deleting "natural immunity" wherever it appears in SECTION 2 and substituting "acquired immunity".

Rep. Hulseby moved that the House concur in Senate Amendments Nos. 2 and 1 to **House Bill No. 1871**, which motion prevailed by the following vote:

Ayes 75

Noes..... 20

Representatives voting aye were: Alexander, Baum, Boyd, Bricken, Byrd, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Chism, Cochran, Crawford, Darby, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Grills, Halford, Hall, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Holsclaw, Howell, Hulseby, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Martin, Moody, Moon, Ogles, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Terry, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--75

Representatives voting no were: Beck, Clemmons, Cooper, Dixie, Freeman, Hakeem, Hardaway, Harris, Hodges, Johnson G, Love, McKenzie, Miller, Mitchell, Parkinson, Potts, Powell, Stewart, Thompson, Towns--20

A motion to reconsider was tabled.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2128** -- Election Laws - As introduced, expressly prohibits non-United States citizens from voting in federal, state, or local elections in this state; prohibits local governments from granting non-citizens the right to vote in local elections; prescribes various other mechanisms for ensuring the integrity of elections in this state. - Amends TCA Title 2, Chapter 2 and Title 2, Chapter 7. by *Crawford, *Griffey, *Warner, *Weaver, *Hulsey, *Rudd, *Boyd, *Cepicky, *Mannis, *Moody, *Zachary, *Lamberth, *Doggett, *Moon, *Byrd, *Carringer, *Ogles, *Shaw, *Sherrell, *Smith, *Reedy, *Ragan, *Whitson, *Williams, *Eldridge, *Hazlewood, *Terry, *Helton, *Cochran, *Lafferty, *Grills, *Hurt, *Hawk, *Littleton, *Todd, *Parkinson. (SB2245 by *Hensley, *White, *Bowling, *Kelsey, *Rose, *Stevens)

Senate Amendment No. 1

AMEND House Bill No. 2128 by deleting Sections 5 and 6 and renumbering the remaining section accordingly.

Rep. Crawford moved that the House concur in Senate Amendment No. 1 to **House Bill No. 2128**, which motion prevailed by the following vote:

Ayes 83
Noes..... 10

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Chism, Cochran, Cooper, Crawford, Darby, Doggett, Eldridge, Faison, Farmer, Gant, Garrett, Gillespie, Grills, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Lynn, Mannis, Marsh, Martin, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Terry, Thompson, Todd, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--83

Representatives voting no were: Clemmons, Dixie, Freeman, Hakeem, Johnson G, McKenzie, Potts, Powell, Stewart, Towns--10

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on the motion to concur in Senate Amendment No. 1 to **House Bill No. 2128** and have this statement entered in the Journal: Rep. Hardaway.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

House Bill No. 2621 -- Foster Care - As introduced, requires each LEA to designate a foster care liaison to collaborate with the department of children's services to address educational barriers for students in foster care and to facilitate compliance with applicable state and federal laws; allows each LEA to appoint a building point of contact in each elementary, middle, and high school to coordinate with the foster care liaison. - Amends TCA Title 4; Title 37 and Title 49, Chapter 6. by *Harris, *Parkinson, *Chism, *Johnson G, *Camper. (*SB2309 by *Walley, *Akbari, *Jackson, *Lamar)

Senate Amendment No. 1

AMEND House Bill No. 2621 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding the following as a new part:

49-6-3801.

(a) Each LEA shall designate a foster care liaison to facilitate LEA compliance with state and federal laws related to students who are in foster care and to collaborate with the department of children's services to address educational barriers for students in foster care.

(b) The role and responsibilities of a foster care liaison may include:

(1) Coordinating with the department of children's services on the implementation of state and federal laws related to students who are in foster care;

(2) Coordinating with foster care education program staff at the department of education;

(3) Attending training and professional development opportunities to improve LEA implementation efforts;

(4) Serving as the primary contact person for representatives of the department of children's services;

(5) Facilitating immediate enrollment of a child placed in foster care in the appropriate school;

(6) Facilitating the transfer of school records when a child is placed in foster care and changes schools;

(7) Facilitating data sharing with child welfare agencies consistent with state and federal privacy laws and rules;

(8) Serving as a point of contact and resource to students in foster care;

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

(9) Ensuring that students in foster care are enrolled in and regularly attending school; and

(10) Providing professional development and training to school staff on state and federal laws related to students in foster care and the educational needs of students in foster care.

(c) An LEA may establish a building point of contact in each elementary school, middle school, and high school to assist in coordinating services and resources pursuant to subsection (b) for students in foster care. These points of contact must be appointed by the director of schools of the LEA, in consultation with the school principal and the LEA foster care liaison.

(d) The LEA foster care liaison is responsible for training building points of contact.

(e) The department of education shall make best practices for choosing and training building points of contact available to each LEA.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.

Rep. Harris moved that the House concur in Senate Amendment No. 1 to **House Bill No. 2621**, which motion prevailed by the following vote:

Ayes	88
Noes.....	2
Present and not voting.....	2

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell S, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Ragan, Ramsey, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Windle, Wright, Zachary--88

Representatives voting no were: Powers, Williams--2

Representatives present and not voting were: Byrd, Gant--2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the motion to concur in Senate Amendment No. 1 to **House Bill No. 2621** and have this statement entered in the Journal: Rep. Sherrell.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2662 -- Pharmacy, Pharmacists - As introduced, reduces the number of years a pharmacist must be licensed in this state to be employed by the board of pharmacy as the executive director from five years to four years. - Amends TCA Title 4; Title 33; Title 56; Title 62; Title 63 and Title 68. by *Sexton C, *Hall, *Hazlewood, *Bricken, *Terry, *Ragan. (*SB2322 by *Haile)

Senate Amendment No. 2

AMEND House Bill No. 2662 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 63-10-303(c), is amended by deleting the subsection and substituting the following:

(c)

(1) The board shall consult with the division in appointing a person to serve as executive director of the board, however the board is not bound by any recommendation of the division. The executive director must have been licensed as a pharmacist in this state for a period of at least five (5) consecutive years immediately preceding such appointment.

(2) The executive director's duties shall be those specified by the board and by the director and may include, but not be limited to, recording and compiling the minutes of the board, supervising the employees assigned by the division to support the board, performing such studies and research as the board or division directs, representing the board at such functions as authorized by the board and the division, and acting as consultant to the division in its enforcement duties on behalf of the board.

(3) The board may dismiss the executive director without having to consult with the division.

SECTION 2. Tennessee Code Annotated, Section 63-7-207(1)(A), is amended by deleting the subdivision and substituting the following:

(A)

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

(i)

(a) Employ, in consultation with the governor, an executive director, who must not be a member of the board, although the board is not bound by any recommendation of the governor. The executive director shall receive a salary to be fixed by the board and approved by the commissioner of human resources and the commissioner of finance and administration;

(b) The board may dismiss the executive director without having to consult with the governor; and

(ii) Employ such other personnel as may be necessary for the effective and efficient discharge of the duties of the board;

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

Rep. Hall moved that the House concur in Senate Amendment No. 2 to **House Bill No. 2662**, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulse, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton--94

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Hurt moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 1521 out of order, which motion prevailed.

***Senate Joint Resolution No. 1521** -- Memorials, Retirement - Haywood County Trustee William L. "Sonny" Howse. by *Walley.

On motion of Rep. Hurt, the resolution was concurred in.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended in order to allow **House Bill No. 1036** to be heard in the State Government Committee this week, which motion prevailed.

NOTICE TO ACT ON SENATE MESSAGE

Pursuant to **Rule No. 59**, notice was given that the following measure from the Senate would be considered on April 14, 2022:

House Bill No. 2667: by Mr. Speaker Sexton

House Bill No. 2638: by Rep. Gillespie

House Bill No. 1946: by Rep. Haston

House Bill No. 2537: by Rep. Gant

Senate Bill No. 1782: by Rep. Hulsey

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 204 Reps. Hardaway, Dixie, Love, Hakeem, McKenzie, Towns, Miller, Harris, Clemmons and Thompson as prime sponsors.

House Bill No. 1686 Reps. Thompson, Calfee, White and Harris as prime sponsors.

House Bill No. 2436 Reps. Darby and G. Hicks as prime sponsors.

House Bill No. 2600 Reps. Beck, Towns, Camper and G. Johnson as prime sponsors.

House Bill No. 2663 Reps. Darby and G. Hicks as prime sponsors.

House Bill No. 2875 Reps. Chism, Hardaway, Dixie, Love, Ogles, Hakeem, McKenzie, Towns, G. Johnson, Miller, Jernigan, Clemmons and Harris as prime sponsors.

ENGROSSED BILLS

April 11, 2022

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2284;

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 11, 2022

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 1517; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
April 11, 2022

The Speaker announced that he had signed the following: Senate Joint Resolution No. 1517.

TAMMY LETZLER, Chief Clerk

MESSAGE FROM THE SENATE
April 11, 2022

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 735, 1884, 1887, 1956, 2070, 2188, 2199, 2302, 2306, 2348, 2479, 2650 and 2730; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 11, 2022

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 892, 1429, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1480, 1481, 1482, 1496 and 1497; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED
April 11, 2022

The Speaker announced that he had signed the following: House Bills Nos. 2021, 2113, 2114, 2242, 2249, 2376, 2442, 2467, 2575, 2613, 2645, 2728, 2733, 2743, 2864, 2902 and 2905.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 11, 2022 – SIXTY-THIRD LEGISLATIVE DAY
UNOFFICIAL VERSION

GREG GLASS, Chief Engrossing Clerk

SIGNED
April 11, 2022

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 892, 1429, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1480, 1481, 1482, 1496 and 1497.

TAMMY LETZLER, Chief Clerk

SIGNED
April 11, 2022

The Speaker announced that he had signed the following: Senate Bills Nos. 735, 1884, 1887, 1956, 2070, 2188, 2199, 2302, 2306, 2348, 2479, 2650 and 2730.

TAMMY LETZLER, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Byrd, Calfee, Campbell S, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, Martin, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Sparks, Stewart, Terry, Thompson, Todd, Towns, Travis, Vaughan, Vital, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 97

RECESS

On motion of Rep. Gant, the House stood in recess until 9:00 a.m., Thursday, April 14, 2022.

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.